

DE TOCQUEVILLE'S  
L'ANCIEN RÉGIME

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## PREFACE

**T**he book, which I now publish, is not a history of the Revolution—a history, which has been written with too much distinction for me to dream of making a fresh attempt. This is a study on the Revolution.

The French in 1789 made the greatest effort to which any people has ever committed itself, to cut, so to speak, their destiny in two, and to separate by an abyss that which they had hitherto been from that which they wished henceforth to be. With this end in view they took every kind of precaution to carry nothing from the past into the new order of things; they imposed upon themselves every kind of duress, so as to fashion themselves other than their parents; they omitted nothing calculated to destroy their identity.

I have always thought that in this singular enterprise they were much less successful than either foreigners have believed, or they themselves at first thought. I was convinced that unconsciously they retained from the old order of things the greater part of the feelings, the habits, nay even the ideas by the aid of which they conducted the Revolution that destroyed it, and that without wishing to do so they made use of its remains to build the structure of the new society. Thus, to understand thoroughly the Revolution and its work, it was necessary to forget for one moment the France which we see, and to proceed to interrogate in its tomb the France which is no more. That is what I have attempted to do here. But I have found it more difficult to succeed in this than I could have believed.

The first ages of the monarchy, the Middle Ages, the Renaissance, have given an opportunity for the writing of great works, and have been the subject of the most profound research, which has made us acquainted not only

with the events that occurred, but with the laws, the habits, the spirit of the government and the people at these different periods.

No one has hitherto taken the trouble to study the eighteenth century in this fashion and in such detail. We think that we know quite well French society of that era, because we see clearly that which glittered on its surface, because we possess in detail the history of the most celebrated persons that lived in it, and because clever and eloquent 'critiques' have succeeded in making us familiar with the works of the great writers who adorned the age. But as to the manner of conducting affairs; as to the real working of institutions; as to the exact relation of class to class; as to the condition and feelings of those classes which, buried beneath the dominant opinions and manners of the age, made themselves neither heard nor seen; we have only confused and often faulty ideas.

I have attempted to pierce to the heart of this 'old order,' so near to us in point of years but so completely hidden from us by the Revolution.

To reach this goal I not only re-read the celebrated books which the eighteenth century produced; I decided to study many works, less known and less worthy to be known—books composed with very little art, which nevertheless revealed, even better perhaps than the others, the true spirit of the age. I devoted my time to getting a thorough knowledge of all the public documents in which Frenchmen on the eve of the Revolution were able to make known their views and their tastes. The reports of the Assemblies of Estates, and later on of the Provincial Assemblies, gave me great light on this point. More especially I made great use of the 'Instructions' (*cahiers*), drawn up by the three Orders in 1789. These 'Instructions'—their originals form a long series of manuscript volumes—will remain as a testament of the old French society, the supreme expression of its desires, the authentic declaration of its last wishes. Even with this I have not been content.



In countries, where the governmental body is already powerful, few ideas or wishes or grievances make their appearance, few interests and passions are met with, that are not sooner or later laid bare before it. By a study of its archives not only is a very exact idea of its working acquired, but the whole country is revealed. A foreigner to-day, who had free access to all the confidential correspondence which fills the despatch boxes of the Ministry of the Interior and the Prefectures, would very soon know us more surely than we know ourselves. In the eighteenth century the Government was already, as can be seen in reading this book, very much centralized, very powerful, prodigiously active. It could be seen continually to help, to hinder, to permit. It had much to promise, much to give. It already had influence in a thousand ways not only over the general conduct of affairs, but over the destiny of families and over the private life of every man. Further, as there was no publicity in the Government, no one feared to expose to its view his most secret weaknesses. I have spent a very long time studying what remains of it both in Paris and in several of the Provinces.<sup>1</sup> There, as I expected, I found the 'old order' all living—its ideas, its passions, its prejudices, its practice—every man in it giving free rein to his tongue and letting us penetrate to his inmost thoughts. That is how I have succeeded in acquiring much information about the 'old society,' which contemporaries did not possess. For I had beneath my eyes that which they were never permitted to see.

The more I advanced in this study, the more was I astonished when I saw at every moment in the France of that age many characteristics, which strike us in the France of our own days. I met again a crowd of sentiments, which

<sup>1</sup>I have made particular use of the archives of several great 'Intendancies,' especially those of Tours, which are very complete, and refer to a very vast 'généralité,' placed in the centre of France and peopled by a million of inhabitants. Here I owe thanks to the young clever keeper of the archives, M. Grandmaison. Other 'généralités,' e.g., those of the Île de France, have shown me that affairs were conducted in the same fashion throughout most of the kingdom.

I had always thought were born from the Revolution; a crowd of ideas which I had hitherto thought were sprung from it; a thousand habits which it alone has been represented as giving us. Everywhere I found the roots of present-day society deeply implanted in this old soil. The more nearly I approached 1789, the more clearly did I perceive the spirit which had caused the formation, birth, and growth of the Revolution. Little by little I saw all the features of this Revolution develop before my eyes. Already it announced its spirit, its genius, itself. There I found not only the reason of what it was going to do in its first effort, but more clearly still perhaps the intimation of what its ultimate effect would be. For the Revolution has had two phases very distinct—the *first*, in which the French seemed to wish the abolition of everything in the past; the *second*, in which they wished to resume a part of what they had given up. There were in the 'old order' a great number of laws and political habits which disappeared at one stroke in 1789, and which reappeared some years later; just as certain rivers plunge beneath the surface of the ground to reappear a little further on, causing the same waters to visit new banks.

The distinctive object of the work, which I put before the public, is to make them understand why this great Revolution, a storm which was gathering at the same time over almost the whole continent of Europe, broke out in France sooner than elsewhere; why it started of its own impulse from the social order it was going to destroy, and finally, why the old monarchy fell in a fashion so complete and so sudden.

My view is that the work, which I have undertaken, ought not to end here. My intention is, if time and strength allow, to follow through the vicissitudes of this long Revolution those same Frenchmen, with whom I have just been living on such familiar terms under the 'old order'—themselves the product of the 'old order'; to see them influenced and transformed by the sequence of events without however

changing their nature, and constantly reappearing before us with features slightly altered but always recognizable.

I shall, to begin with, traverse in their company that first period of '89, in which the love of Equality and the love of Freedom shared their hearts—a period in which they were minded not merely to found democratic institutions, but also free institutions; not merely to destroy privileges, but also to recognize and consecrate rights; a time of youth, of enthusiasm, of pride, of generous and sincere passions; a time of which, despite its mistakes, men will eternally preserve the memory; a time, which for long years still will trouble the sleep of all those who wish to corrupt or enslave them.

While rapidly following the course of this same revolution I shall try to point out the events, the mistakes, the miscalculations, in consequence of which these same Frenchmen came to abandon their first aim, and, forgetting Freedom, had no longer any other wish than to become the equal servants of the master of the world—how a government, stronger and much more absolute than that, which the Revolution had overthrown, seized once more and concentrated all powers in its hands, suppressed all the liberties so dearly bought and put in their place mere shams; calling the voting of electors, who could neither gain enlightenment, nor act in concert, nor really choose, 'sovereignty of the people'; calling the assent of mute or enslaved assemblies the 'free vote of taxes'; and while taking away from the nation the means of self-government, the principle securities of right, that is to say, the freedom of thought, of speech, of writing—in a word, all that was most precious and most noble in the conquests of '89—still assuming that mighty name.

I shall stop at the point, at which the Revolution will appear to me to have almost completed its work and given birth to the new social order. I shall then review this social order itself; I shall attempt to distinguish the points in which it resembles, and those in which it differs from the

preceding order; what we have lost in this immense upheaval, what we have gained by it, and finally I shall attempt to forecast our future.

A part of this second work is already sketched in outline, but is not yet worthy of being offered to the public. Will it be given me to finish the work? Who can tell? The fate of individuals is even darker than that of nations.

I hope that I have written the present book without prejudice, but I do not pretend to have written it without passion. A Frenchman can hardly help feeling, when he speaks about his country and thinks about his time. I confess that, in studying our old social order in each of its divisions, I have never let the new order pass completely out of sight. I have wished to discover not only the disease of which the sick man died, but also how his life might have been saved. I have acted like those doctors, who in each lifeless organ attempt to surprise the laws of life. My aim has been to draw a picture strictly accurate and at the same time instructive. Every time then that I have met among our ancestors any of those masculine virtues, which are most necessary to us and yet are almost extinct—a true spirit of independence, the taste for great things, faith in ourselves and in a cause, I have set them in relief, and correspondingly, when in the laws, in the ideas, in the manners of that bygone age, I have met with any trace of some of the vices which, after having destroyed ancient society, still afflict us, I have taken care to put them in the limelight, in order that, seeing well the evil they have already done, we might better understand what further evil they might do us.

To attain this end, I confess, I have not feared to wound either individuals, or classes, or opinions, or memories, however worthy of respect. I have often done so with regret, but always without remorse. May those whom I have thus offended pardon me in consideration of my honest and disinterested aim.

Many people will perhaps accuse me of showing in this

book a very out-of-date love of liberty. I am told that no one in France any longer cares for it. I shall only ask those, who throw this reproach at me, to remember that it is a very old leaning of mine. It is more than twenty years ago that, writing of another society, I wrote almost textually as follows.

'In the midst of the darkness of the future three very clear truths can already be discerned. The first is this, that all men of our time are moved by an unknown force that we can hope to regulate and check, but cannot hope to vanquish; which at one time pushes them gently, at another time with violence, towards the destruction of aristocracy; the second is this, that among all the societies of the world those, which will always have the greatest difficulty to escape for long from absolutism, will be just those societies in which aristocracy does not exist and can no longer exist. The third and last truth is this that nowhere is despotism bound to produce more pernicious effects than in these societies; for more than any other form of government despotism favours the development of all the vices, to which these societies are especially prone, and pushes them in the very direction to which by a natural inclination they already lean.

'Men being no longer attached to one another by any tie of caste, of class, of corporation, of family, are only too much inclined to be preoccupied only with their private interests, ever too much drawn to think only of themselves and to retire into a narrow individualism, in which every public virtue is stifled. Despotism far from struggling against this tendency makes it irresistible; for it takes away from the citizens every common passion, every mutual want, every necessity of co-operation, all occasion of common action. It immures them so to speak in private life; they already tended to keep apart; it isolates them; their relations with one another were already cold; despotism ices them.

'In societies of this nature each man feels incessantly

spurred by fear of falling and eagerness to rise; and since money has not only become the principal mark, by which men are classed and distinguished, but also has acquired a singular mobility, passing from hand to hand without a pause, transforming the status of individuals, raising or lowering families, there is hardly a man who is not obliged to make a desperate and continuous effort either to keep or to acquire it. The desire to become rich at any cost, the inclination for business, the love of gain, the quest for comforts and material enjoyments, are therefore in despotisms the most dominant passions. These passions spread easily throughout all classes, reaching even those classes to which they have hitherto been unknown, and would soon enervate and degrade the whole nation, if nothing intervened to check them. It is of the very essence of despotism to favour and to forward them. These debilitating passions assist it; they fill the imagination of men, turn them aside from public affairs, and make them tremble at the very thought of revolution. Despotism alone can give them the privacy and the darkness which put covetousness at its ease and give opportunity for dishonest profits while men brave dishonour. Apart from despotism these passions would have been strong; with it they are sovereign.

'In societies of this nature *per contra* freedom alone can effectually combat the vices indigenous to them, and stop them on the slope down which they are slipping. In fact it is freedom alone which can rescue the citizens from the isolation, in which the very independence of their condition causes them to live; it constrains them to draw together; once more it gives them warmth and brings them together every day from the necessity of understanding each other, of persuading each other, and of giving mutual satisfaction in the ordering of common interests. Freedom alone is able to tear them away from the worship of money and from the petty daily worries of their individual interests, so as to make them perceive and feel at every moment the fatherland above and around them. It alone substitutes from time

to time for the love of material comfort more powerful and more lofty passions; it alone supplies ambition with greater objectives than the acquisition of riches, and creates the light that makes it possible to see and to judge the vices and the virtues of mankind.

'Democratic societies, which are not free, can be wealthy, refined, decorative; they can even be magnificent, powerful by the weight of their homogeneous mass; in them will be found private virtues, good fathers, honest merchants, and estimable owners of property; in them will be seen good Christians, for the fatherland of the Christian is not of this world, and the glory of their religion is to produce them in the midst of the greatest corruption of manners and under the worst governments. The Roman Empire in its extreme decadence was full of them. But what will never be found, I dare to say it, in such societies is a great citizen, and especially a great nation, and I do not shrink from asserting that the common level of heart and mind will always be low where equality and despotism are joined together.'

Those were my thoughts and utterances twenty years ago. I confess that nothing has since happened in the world which has led me to change my thought or speech. Having shown the good opinion I had of Freedom at a time when it was in favour, it is not ill that I should persist in my opinion when Freedom is forsaken.

Consider also that in this very thing I differ less from the greater part of my opponents than they themselves perhaps suppose. Where is the man of soul so base that he would prefer to depend on the caprices of one of his fellow-men rather than obey the laws which he has himself contributed to establish, that is to say, if he thinks his nation has the virtues necessary to make a good use of freedom? I think there is no such person. Despots themselves do not deny that freedom is excellent; only they desire it for themselves alone, and they maintain that everyone else is altogether unworthy of it. Thus it is not about the value of freedom that we differ, but about the value greater or smaller that

we set on mankind. Thus we can say with strict accuracy that a man's regard for absolute government is in exact proportion to his contempt for his fellows. I may be permitted still to wait a little, before I am converted to that opinion. I can say, I think, without too much boasting, that the book, which I now publish, is the product of very great labour. Quite a short chapter has sometimes cost me more than one year's research. I could have packed with notes the bottom of my pages; I have preferred only to insert a few notes and to place them at the end of the volume with a reference to the pages of the text to which they refer. In the notes will be found illustrations and proofs. I could supply many others, if any one thinks it worth the while to ask for them.



## BOOK I

## CHAPTER I

### *Contradictory Judgments passed on the Revolution at its Birth.*

There is nothing more fitted to recall philosophers and statesmen to a sense of modesty than the history of our Revolution. For there have never been greater events, more clearly the products of a prolonged movement; events better prepared, yet less foreseen.

The great Frederic himself, notwithstanding his genius, has no presentiment of it. He is in touch with it, yet sees it not. Nay more he acts in advance in accordance with its spirit; he is its forerunner, and already, so to speak, its agent; but he does not recognize its approach; and when at last it shows itself, the new and extraordinary features which are to characterize its physiognomy amid the innumerable crowd of revolutions, at first escape notice.

Abroad, it was the object of universal curiosity; everywhere it gave birth in the consciousness of people to a confused idea that new times were on their way, to vague hopes of change and reform; but no one has yet suspected what it was to become. Princes and their ministers had not even that confused presentiment which prompted the popular vision. They only considered it at first as one of those diseases to which the constitution of all nations is from time to time subject, of which the only effect is to open up new fields for the policy of their neighbours. If by mere chance they speak the truth about it, it is unconsciously. The chief sovereigns of Germany assembled at Pilnitz in 1791 proclaimed, it is true, that the peril which threatened royalty in France was common to all the ancient powers of Europe, and that all were menaced by it. But in fact they

did not believe this at all. The secret documents of the time let us see that it was nothing but a clever pretext, by which they masked their designs, or made them plausible in the eyes of the crowd.

As to themselves, they were convinced that the French Revolution was but a local and transitory accident; the only question was how to draw advantage from it. With this thought they conceived plans, made preparations, contracted secret alliances, wrangled about the division of the prospective spoil, they divided into parties, they united; they were ready for any result except for that which was on its way.

The English, endowed with more light and experience from the recollection of their own history and their long practice of political liberty, perceived as through a thick veil the spectre of a great revolution approaching, but they could not distinguish its features, and the influence, which it was going very soon to exercise over the destinies of the world and of themselves, was concealed from their sight. Arthur Young who traversed France on the eve of the Revolution and regarded the Revolution as imminent, was so entirely ignorant of its drift that he questioned whether its result would not be the increase of Privilege. 'As to the nobility and clergy,' says he, 'if this revolution gave them a little more preponderance, I think it would do more harm than good.'

Burke, whose spirit was illuminated by the hatred with which the Revolution inspired him from its birth, Burke himself remained for some moments uncertain in his view. What he anticipated at first was that France would be enervated and so to speak annihilated. 'We may assume,' said he, 'that for a long time to come France as a military power is wiped out. As a military power it may be destroyed for ever, and possibly the men of the next generation may adopt those ancient words: "Gallos quoque in bellis floruisse audivimus." (We have heard that the Gauls also once excelled in warfare.)'

The judgment passed on the Revolution by those near at hand was no better than that of distant critics; in France on the eve of the Revolution there was no clear view about its aims. Among the crowd of 'Instructions' (*cahiers*) I find only two in which a certain fear of the populace is shown. What is feared is the preponderance which the Royal power, the Court as it is called, was bound to uphold. The weakness and the short duration of the States-General were a cause of uneasiness. There was a fear that they might have violence done to them. The 'noblesse' were particularly harassed by this fear. 'The Swiss troops,' say several of these *Instructions*, 'shall take an oath never to bear arms against the citizens even in case of riot or revolt.' Let the States-General be free, and all abuses will be easily destroyed; necessary reform was immense, but easy to effect.

Meanwhile the Revolution pursued its course; the head of the monster was seen to appear; its singular and terrible aspect was uncovered; after having destroyed political institutions, it abolished civil institutions; after having changed the laws, it changed the manners, the habits, and even the language; after it had destroyed the fabric of government, it disturbed the foundations of society, and finally seemed to wish to attack God himself; very soon this same Revolution passed the frontiers of France with an impetus hitherto unknown, with a new strategy, with murderous maxims, with armed opinions (to use Pitt's words), a power unprecedented, which struck down the barriers of empires, shattered crowns, trampled upon peoples, and, wonderful to relate, at the same time won them to its cause; in reaction to these startling events the world's point of view changed. That which had at first seemed to the princes and statesmen of Europe an ordinary accident in the life of nations, now appeared so novel, so contrary even to everything that had ever occurred in the history of the world, and withal so universal, so monstrous, so incomprehensible, that in view of it the human mind was lost in bewilderment. Some thought that this unknown

power, which nothing seemed either to nourish or destroy, which no one knew how to stop, and which could not stop itself, was going to drive human societies to their complete and final dissolution. Many looked upon it as the visible action of the Devil upon earth. 'The French Revolution has a Satanic character,' said M. de Maistre as early as 1797. Others on the contrary discovered in it a benevolent plan of God, who wished to renew the face not only of France but of the world, and who proposed to create so to speak a new humanity. Among many of the writers of that epoch may be found something of that religious terror which Salvian felt in view of the barbarians. Burke, reverting to his sentiment, exclaimed—'Deprived of the old government, deprived in a manner of all government, France appears more likely to be an object of pity or insult than to be the scourge and terror of the human race. But out of the tomb of this murdered monarchy has arisen a tremendous formless spectre in a far more terrible guise than any which have ever yet overpowered and subdued the imagination of mankind. Going straight forward to its end, unappalled by peril, unchecked by remorse, despising all common maxims and all common means, that hideous and strange phantom overpowered those who could not even understand how it came to exist.'

Was the event in fact as extraordinary as it appeared in days of old to its contemporaries? Was it as unprecedented, as profoundly disturbing and reinvigorating as they thought? What was the true meaning, what was the true character, what were the permanent effects of this strange and terrible revolution? What precisely did it destroy? What has it created?

It would seem that the time for examination and judgment on it has arrived. We are placed to-day at that precise point, from which this great subject can be best perceived and judged. We are far enough from the Revolution not to feel violently the passions, which disturbed the view of those who made it. On the other hand we are near enough to be

able to enter into and to understand the spirit which produced it. Very soon it will be difficult to do so. For great successful revolutions, by effecting the disappearance of the causes which brought them about, by their very success, become themselves incomprehensible.

## CHAPTER II

*The Fundamental and Final Object of the Revolution was not, as commonly thought, to destroy Religious and to weaken Political Power.*

One of the first measures of the French Revolution was to attack the Church. Among the passions born of this Revolution, the first to be kindled and the last to be put out was the anti-religious passion. Even after the enthusiasm for liberty had vanished, even after Frenchmen had been reduced to purchase tranquillity at the price of servitude, they remained in revolt against religious authority. Napoleon, who had been able to vanquish the liberal spirit of the French Revolution, made futile efforts to subdue its anti-Christian spirit, and even in our own days men have been seen who thought to redeem their servility towards the meanest agents of political power by their insolence towards God, and who, while abandoning everything that was most free, most noble, and most proud in the doctrines of the Revolution, flattered themselves that they still remained faithful to its spirit by remaining anti-religious.

However, it can be easily grasped to-day that war against religion was only an incident in this great revolution, a striking but nevertheless transient feature, a short-lived product of the ideas, the passions, and the particular events, which preceded and prepared it, but not its true spirit.

The philosophy of the eighteenth century has rightly been regarded as one of the principal causes of the Revolution, and it is very true that this philosophy was profoundly anti-religious. But in this philosophy it must be carefully noted that there were two parts quite distinct and separable.

In the one part are found all the new or rejuvenated opinions, which are connected with the condition of society, and with the principles of civil and political laws, such for example as the natural equality of men, the abolition of all the privileges of castes, classes, professions, which are a consequence of it; the sovereignty of the people; the omnipotence of the social power; the uniformity of laws, etc. All these doctrines are not merely the causes of the French Revolution; they form, so to speak, its substance; they are the most fundamental, the most lasting, the most true part of its work as far as time goes. In the other part of their doctrines the philosophers of the eighteenth century attacked the Church with fury: they attacked its clergy, its hierarchy, its institutions, its dogmas, and, the better to overthrow them, they tried to root up the very foundations of Christianity. But this portion of the philosophy of the eighteenth century having owed its birth to the circumstances which the Revolution itself destroyed, was bound gradually to disappear with them, and to find itself, as it were, buried in its own triumph. I will only add one word to make myself understood, for I intend to return elsewhere to this great subject; it was far less as a religious doctrine than as a political institution that Christianity had kindled these furious hates; it was hated, not because the priests claimed to regulate the affairs of the *other* world, but because they were landed proprietors, lords of manors, tithe-owners, and administrators in *this* world; not because the Church was unable to take its place in the new social order that was to be established, but because it occupied then the most privileged and the strongest position in that old social order which was to be demolished. Note how the march of time has put this truth in full light, and succeeds in keeping it there continually; while the political work of the Revolution has been consolidated, its anti-religious work has been undone; while all the ancient political institutions which it attacked have been completely destroyed, while the powers, the influences, the classes, which were



particularly odious to it, have been vanquished beyond recall; and while—as a last sign of defeat—even the hatreds, which they inspired have languished; while the clergy have more and more cut themselves adrift from all that fell with them; we have seen the power of the Church regain its influence and its sway over the minds of men.

And do not think that this phenomenon is confined to France; there is hardly a Christian Church in Europe which has not been revived since the French Revolution.

To believe that democratic societies are naturally hostile to religion is to make a great mistake; nothing in Christianity, nothing even in Catholicism, is absolutely opposed to the spirit of democratic society, and many features of it are very favourable to Christianity. Further, the experience of all the ages has shown that the most living roots of the religious instinct have always been planted in the heart of the common people. All religions, which have perished, have always found there their last refuge. It would be strange indeed if institutions which tend to give prevalence to the ideas and passions of the people, should have as a necessary and permanent effect to move the human spirit towards irreligion.

That which I have just said about religious power, I shall assert with stronger reason about social power.

When the Revolution was seen to overthrow at once all the institutions and all the customs which had hitherto maintained a hierarchy in the social order, and kept men within due bounds, it was easily believed that its result would be to destroy not merely a particular order of society but every order; not merely such and such a government, but social power itself; and its nature was bound to be judged essentially anarchic. However, I dare to maintain that this further was a mere appearance. Less than one year after the beginning of the Revolution Mirabeau wrote secretly to the King: 'Compare the new with the old order of things. It is there that we find ground for comfort and hope. One part of the Acts of the National Assembly, and that the

more considerable, is evidently favourable to monarchical government. Is it nothing to have got rid of Parlements, of pays d'états, the clerical body, the privileged classes, the nobility? The idea of forming a single class of citizens would have pleased Richelieu; this equality of surface facilitates the exercise of power. Several reigns of absolute government could not have done as much as this single year of revolution for the royal authority.' That was to understand the Revolution as a man capable of guiding it. As the French Revolution had not merely for its object to change an old government, but to abolish the old structure of society, it was bound to attack at once all established powers, to destroy all recognized influences, to efface traditions, to create fresh manners and customs, and in some degree to clear the human mind of all the ideas, on which had been hitherto founded respect and obedience. Hence its character so singularly anarchic.

But remove these ruins; you perceive an immense central power, which has drawn to itself and absorbed in its unity all the fragments of authority and influence which were formerly dispersed among a crowd of secondary powers, orders, classes, professions, families, and individuals, scattered as it were throughout the social organism. The world had never seen a power like it since the fall of the Roman Empire. The Revolution had created this new power, or rather this power had risen spontaneously from the ruins caused by the Revolution. The governments which it founded were more fragile, it is true, but a hundred times more powerful than any of those which it had overthrown; they are fragile and powerful owing to the same causes, as will be explained elsewhere.

It was this form, simple, regular, and majestic, that Mirabeau saw already beyond the dust of ancient institutions half demolished. This form, despite its majesty, was as yet invisible to the eyes of the crowd, but time has gradually revealed it to all eyes; to-day it occupies especially the eye of princes. It is regarded with admiration and with

envy not only by those who owe their origin to the Revolution, but also by those very people who were its most determined enemies: they all make efforts in their dominions to destroy immunities, to abolish privileges. They confuse ranks, they equalize social divisions, they substitute officials for the aristocracy, uniformity of laws for local franchises, unity of government for diversity of powers. They employ themselves in this revolutionary work with incessant industry; if they meet with any obstacle they sometimes borrow from the Revolution its methods and its maxims. At need they will raise the poor against the rich, the plebeian against the noble, the peasant against his lord. The French Revolution has been at once their scourge and their instructor.

### CHAPTER III

*The Revolution a Political Revolution, which followed the lines of a Religious Revolution, and why it did so.*

All civil and political revolutions have had their own country and have been confined within its borders. The French Revolution had no country peculiarly its own; nay, rather its effect has been in a sense to efface from the map all the old frontiers. It has united or divided men despite laws, traditions, characteristics, language; sometimes making enemies of fellow-citizens and friends of foreigners; or rather it has formed, above all particular nationalities, a common intellectual fatherland, of which men of all nations could become citizens. Search all the annals of history and you will not find any single political revolution which has had this same character; you will only find such a character in certain religious revolutions. It is to religious revolutions that the French Revolution must be compared if it is to be understood by the aid of analogy.

Schiller rightly remarks in his *History of the Thirty Years War* that the great Reformation of the sixteenth century had the effect of bringing together peoples which hardly knew one another, and of uniting them closely by new sympathies. In fact, at that time Frenchmen fought against Frenchmen while Englishmen came to their aid; men, born at the end of the Baltic, penetrated to the very heart of Germany to protect Germans, of whom they had never before heard. All foreign wars took something of the nature of civil wars; in all civil wars foreigners made their appearance. The old interests of each nation were forgotten for new interests; questions of territory were replaced by questions of principles. All the conventions of diplomacy

were thrown into hopeless confusion to the great astonishment and grief of contemporary politicians. It is precisely what happened in Europe after 1789.

The French Revolution was then a political revolution which in its features and characteristics resembled in a way a religious revolution. Notice the features in which it resembled the latter. Not only did it spread like the latter into distant lands, but also like the latter it made its way by preaching and propaganda. A political revolution which inspires proselytism! Preached as ardently to foreigners as it is conducted with passion at home! What a novel spectacle! Of all the hitherto unheard-of things, which the French Revolution revealed to the world, this is surely the most novel. But let us not stop there; let us try to pierce deeper and discover if this similarity in results does not spring from some hidden similarity in the causes.

The characteristic of religions is to consider man in the abstract without considering anything special added to his fundamental nature by the laws, the customs, and the traditions of his country. Their chief aim is to regulate the general relations of man with God, the general rights and duties of men towards each other, independently of the particular structure of society. The rules of conduct, which they indicate, refer less to the man of a particular country or age than to 'the son,' 'the father,' 'the servant,' 'the master,' 'the neighbour.' Taking thus their stand on human nature itself, they can be equally received by all men and are everywhere applicable. Hence it is that religious revolutions have often had such vast areas and are rarely confined, like political revolutions, to the territory of a single people, or even of a single race. And if this subject is studied still more closely, it will be found that the more religions have had this general and abstract character just indicated, the more widely have they spread despite the difference of laws, climate, and men.

The pagan religions of antiquity, which were all more or less linked to the political constitution or to the social state

of each people, and preserved even in their dogmas a national and often municipal type, were generally confined within a territorial limit, that they hardly ever passed. They sometimes caused intolerance and persecution, but proselytism was entirely unknown to them. Thus there were no great religious revolutions in our Western world before the arrival of Christianity. The latter passing with ease across the barriers, by which the pagan religions had been stopped, conquered in a short time a great part of the human race. I do not think it is wanting in respect to this holy religion to say that it owed its triumph in part to the fact that, more than any other religion, it was free from everything that was confined to one people, to one form of government, to one social state, to one epoch, to one race.

The French Revolution operated in reference to this world in exactly the same manner as religious revolutions acted in view of the other world. It considered the citizen as an abstract proposition apart from any particular society, in the same way as religions considered man as man, independent of country and time. It did not seek to determine what was the particular right of the French citizen, but what were the general rights and duties of man in the political sphere. It was in going back always to the Universal and, so to speak, to the Natural in point of social structure and government, that it rendered itself intelligible to all and could be imitated in a hundred places at once.

As it had the air of tending to the regeneration of the human race even more than to the reform of France, it kindled a passion which the most violent political revolutions had never hitherto been able to arouse. It inspired proselytism and gave birth to propaganda. Hence in short it took that appearance of a religious revolution, which caused such terror to contemporaries; or rather it became itself a kind of new religion, an imperfect religion it is true, without God, without worship, and without another life, but which nevertheless, like Islam, has flooded the whole world with its soldiers, its apostles, its martyrs.

We must not, however, think that the methods employed by the Revolution were entirely without precedent, and that all the ideas which it brought forward were entirely novel. There were in all ages, and even in the heart of the Middle Ages, agitators who, desiring to change particular customs, invoked the general laws of human society, and who set up the natural rights of man against the constitution of their country. But all these attempts failed. The firebrand, which set Europe in flames in the eighteenth century, was easily extinguished in the fifteenth. That arguments of this nature may be able to produce revolutions, certain changes must already have occurred in conditions, customs, and manners, so that the human spirit is prepared to receive the new ideas.

There are times when men are so different from each other that the idea of a uniform law applicable to everyone is quite incomprehensible to them. There are other times in which it is sufficient to show them afar off the indistinct image of such a law for them to recognize it at once and to run towards it.

The most extraordinary thing is not that the French Revolution should have employed the methods which we have seen it used, nor that it should have conceived the ideas to which it gave birth ; the great novelty was that so many peoples should have reached a point of development such that these methods could be effectually employed and such maxims be without difficulty admitted.

#### CHAPTER IV

*How almost all Europe had exactly the same Institutions,  
and how these Institutions fell into ruin everywhere.*

**T**he nations which had overthrown the Roman Empire, and which ended by forming our modern nations, differed in race, country, language; they were only alike in their barbarism. Established on the soil of the Empire, they entered on a very long and confused struggle, and, when they had finally settled down, they found themselves separated from each other by the very ruins they had caused. Civilization was almost extinct and public order destroyed, the intercourse of men with one another had become difficult and perilous, and the great European society was split into a thousand little distinct and hostile societies, each of which lived apart. Yet from the midst of this incoherent mass there immediately arose a system of uniform laws.

These institutions were not an imitation of Roman law; they were so contrary to it that it was the Roman law which was used to transform and abolish them. Their character was original and distinguished them from all other systems of law that men have framed for themselves. The different parts have a symmetrical correspondence, and, taken as a whole, they form a body of law with its parts so closely compacted that the articles of our modern codes are not more closely united; skilful laws adapted for the use of a half barbarous society. How such a system of law was formed, spread, and, in short, became general throughout Europe, it is not my purpose to investigate. What is certain is that in the Middle Ages it was found more or less everywhere in Europe, and that in many countries it reigned to the exclusion of every other.



I have had occasion to study the political institutions of the Middle Ages in France, in England, and in Germany, and the greater progress I made in this work, the more was I filled with astonishment at the prodigious similarity that I found between all these systems of law, and I wondered how nations so different and so little connected could have given themselves laws so similar. Of course they vary constantly and almost indefinitely in details from place to place, but fundamentally they are the same. Whenever I discovered in the old Germanic legislation a political institution, a law, a power, I knew in advance that with diligent search I would find something similar and substantially the same in France and in England, and, in fact, I never failed to find it so. Each of these three peoples helped me the better to understand the other two.

In all three government was conducted in accordance with the same maxims; the political assemblies were formed out of the same elements, and armed with the same powers. Society was divided in the same manner, and the same hierarchy of the different classes was found; the nobles occupied an identical position; they had the same privileges, the same appearance, the same atmosphere; they were not different men, they were, strictly speaking, the same men everywhere.

The town constitutions were alike; the country districts were governed in the same fashion. The condition of the peasants was little different; the soil was owned, occupied, and cultivated in the same way, the cultivator was subject to the same charges. From the confines of Poland to the Irish Sea, the manor, the manorial court, the fief, the quit-rent, the feudal services, the feudal rights, the guilds, all were alike. Sometimes the names were the same; it was even more remarkable that a single spirit animated all these analogous institutions. I think it may be maintained that in the fourteenth century the social, political, administrative, judicial, economic, and literary institutions of Europe had more resemblance to each other than they have perhaps

even in our own days, in which civilization seems to have taken care to open all the roads and to lower all the barriers.

It is no part of my task to tell how this ancient constitution of Europe was gradually weakened and decayed. I confine myself to stating that in the eighteenth century it was everywhere half in ruins. The decay was generally less marked in the east of the continent than it was in the west; but everywhere old age and often decrepitude were visible. This gradual decadence of the institutions peculiar to the Middle Ages can be followed in their archives. We know that each manor kept rolls called *terriers* in which from age to age were entered the boundaries of the fiefs, the quit-rents, the dues payable, the local customs, the feudal services. I have seen *terriers* of the fourteenth century which are master-pieces of method, of clarity, of conciseness, and of intelligence. The later they are in point of time, the more obscure, undigested, incomplete, and confused they become notwithstanding the general progress of enlightenment. Political society seems to fall into barbarism, while civil society becomes more refined.

Even in Germany, where the old constitution of Europe had preserved better than in France its primitive features, a part of the institutions which it had created was already everywhere destroyed. But we can best judge the ravages of time not by remarking what has disappeared, but by studying the condition of what remained. The municipal institutions, which in the fourteenth and fifteenth centuries had turned the chief German towns into rich and enlightened small republics, still existed in the eighteenth, but they offered a mere empty show. Old customs seemed to be in full strength; the established magistrates bore the same names and seemed to do the same things; but the activity, the energy, the public patriotism, the masculine and fruitful virtues, which they inspired, had disappeared. These ancient institutions, while retaining their outward form, had collapsed.

All the powers of the Middle Ages which still survived

were attacked by the same disease and the same languor. Nay more, everything which, without belonging properly to the constitution of that age, was yet involved in it and retained a somewhat lively print of it, very soon lost its vitality. In this connexion aristocracy contracted a senile debility; political liberty itself, which had filled all the Middle Ages with its works, seemed stricken with barrenness wherever it retained the particular characteristics imprinted on it by the Middle Ages. Wherever the Provincial Assemblies had kept without change their ancient constitution, they hindered rather than helped the progress of civilization; they were foreign and, as it were, impervious to the new spirit of the time. Further, the heart of the people escaped them and set towards the Princes. The antiquity of these institutions had not rendered them venerable; on the contrary, every day the older they grew the more discredited they became; and, strange to relate, they inspired the more hatred in proportion to the less injury they were able in their decadence to effect. 'The existing state of things,' said a German writer, a contemporary friend of the 'old order,' 'seems to have become generally offensive and sometimes contemptible. It is a singular fact that everything old is now judged with disfavour. New impressions make their way into the bosom of our families and trouble their order; even our housewives can no longer endure old furniture.' However in Germany, as in France, at this same epoch society was in a state of great activity and ever-increasing prosperity. But bear this in mind—for this feature completes the picture—everything that was alive, active, creative, was new in origin, and not only new, but hostile to the past.

A royalty, which no longer had anything in common with the royalty of the Middle Ages, possessed other prerogatives, held another place, had another spirit, inspired other sentiments—a state administration, which spread everywhere over the ruins of the local powers—a hierarchy of officials which increasingly replaced the government of the

nobles. All these new powers acted on methods, and followed maxims, which the men of the Middle Ages either did not know or rejected, and which belonged, in fact, to a state of society of which they had not the faintest idea.

In England, where at the first view it might be thought that the ancient constitution of Europe was still in full vigour, it was exactly the same. Shutting your eyes to the old names and forms, you will find from the seventeenth century the feudal system substantially abolished, classes which overlap, nobility of birth set on one side, aristocracy thrown open, wealth as the source of power, equality before the law, office open to all, liberty of the press, publicity of debate; all new principles, of which the society of the Middle Ages knew nothing. Now these are just those novelties, which, introduced gradually and skilfully into the ancient framework, have reanimated it without risking its destruction, and have filled it with a fresh vigour, while retaining the ancient forms. Seventeenth-century England was already a quite modern nation, which has merely preserved in its heart, and as it were embalmed, some relics of the Middle Ages.

To make easy the understanding of what is to follow, it was necessary to take a rapid glance beyond the frontiers of France; for no one, who has studied and considered France alone, will ever, I venture to say, understand the French Revolution.

## CHAPTER V

### *What was the Work of the French Revolution?*

That which I have written so far has had no aim except to throw light upon the subject and to facilitate the answer to the question that I put at the beginning—What was the true aim of the Revolution? What in short was its peculiar character? What exactly was its cause? What has it accomplished?

The aim of the Revolution was not, as commonly believed, to destroy the sovereignty of religious beliefs. Despite all appearances it was essentially a social and political revolution. And in the circle of institutions of that kind it has not tended to perpetuate disorder, to make it, so to speak, permanent, to *methodize* anarchy (as one of its principal adversaries declared), but rather to increase the power and the rights of public authority. It was not to change, as others have thought, the character which our civilization had hitherto taken, to stop its progress, or even alter in their essence any of the fundamental laws, on which human societies in our Western world repose. If we separate it from all the accidents which for the time being have changed its aspect at different epochs and in different countries, and view it only in itself, we see clearly that the only effect of this revolution has been to abolish those political institutions which for several centuries reigned without dispute among most of the European peoples, and which are usually given the name of feudal institutions, in order to substitute for them a social and political order, more uniform and more simple, which had equality of conditions as its base.

This was sufficient to cause an immense revolution; for,

independently of the fact that ancient institutions were still mixed up with it, and, as it were, interlaced with almost all the religious and political laws of Europe, they had further supplied a crowd of ideas, sentiments, habits, manners, which, so to speak, were adhesive to them. There was need of a frightful convulsion to destroy and at one stroke to extract from the social body a part which was fastened to all its members. This made the Revolution appear even greater than it was; it seemed to destroy everything; for what it destroyed touched every part of a living body.

However radical the Revolution may have been, it has certainly innovated much less than has been generally supposed; I will show this later. What may be truly said of it is that it has entirely destroyed or is in process of destroying (for the Revolution is still working) everything in ancient society that was derived from aristocratic and feudal institutions, everything that was in any way connected with them, everything that in any way whatever had the least impress of them. It preserved no part of the ancient world except that which had always been foreign to its institutions or could exist without them. The last thing that the Revolution has been is a fortuitous event. True, it took the world by surprise, but it was only the end of a long travail, the sudden and violent termination of a work to which six generations of men had contributed. If it had not occurred, the old social edifice would have none the less fallen everywhere, at one place sooner, at another later; only it would have fallen piece by piece instead of collapsing at one crash. The Revolution effected suddenly by a painful and convulsive effort, without transition, without reservation, without regard, that which could have been achieved spontaneously by slow degrees.

Such was its work.

It is surprising that what to-day seems so clear should have been so obscure and veiled from the eyes of the most clear-sighted.

'You wish to correct the abuses of your government,' said

Burke to the French, 'but why invent novelties? Why not return to your old traditions? Why not confine yourselves to a resumption of your ancient liberties? Or, if it was not possible to recover the obliterated features of your original constitution, why not look towards England? There you would have found the ancient common law of Europe.'

Burke did not perceive what he had before his eyes, that is to say, the revolution, which was just to abolish this ancient common law of Europe; he did not discern that this and nothing else was the point at issue.

But why did this revolution, everywhere gathering, everywhere threatening, break out in France sooner than elsewhere? Why did it have in France certain characteristics which elsewhere were either not present at all or only partially so? This second question certainly needs an answer. Its examination will be the object of the following chapters.

## BOOK II



## CHAPTER I

*Why the Feudal Rights had become more odious to people in France than anywhere else.*

At the first glance one thing surprises us: the Revolution, of which the specific aim was to abolish everywhere the remains of the institutions of the Middle Ages, did not break out in those countries where the better preservation of these institutions made their annoyance and their harshness most felt by the people, but on the contrary in those countries where they were felt the least; so that the yoke appeared most intolerable just in those places where it was most light. In no part of Germany was serfdom at the end of the eighteenth century as yet completely abolished, and in the greater part the people were actually *ascripti glebae*, as in the Middle Ages. Almost all the soldiers who formed the armies of Frederic II and of Maria Theresa were veritable serfs.

In the greater part of the German states in 1788 the peasant could not quit his manor, and, if he did, he could be pursued to any place where he was found and could be brought back by force. He was subject to the jurisdiction of his lord, who kept a watch on his private life, and punished his intemperance and idleness. He could neither rise in social rank, nor change his profession, nor marry without the good pleasure of his master. A great part of his time had to be devoted to the service of the latter. Several of his youthful years had to be passed in the domestic service of the manor-house. Seigneurial labour-service (*corvée*) existed in full force, and could be extended in some districts to as much as three days a week. It was the peasant who rebuilt and looked after the buildings of the lord, took his goods to

market, drove his carriage, and was employed in carrying his messages. The serf could, however, become a landowner, but his ownership remained always very imperfect. He was obliged to cultivate his field in a certain manner under the eye of the lord; he could neither alienate it, nor mortgage it at his will. In some cases he was forced to sell the produce; in other cases he was forbidden to sell it; the cultivation of the soil was for him obligatory. His children did not even succeed to the whole of his property; a part of it was commonly kept by the manor. I do not seek for these regulations in obsolete laws, I find them even in the code prepared by the great Frederic and promulgated by his successor at the very moment when the French Revolution had just broken out.

For a long time past nothing like this had existed in France; the peasant went, came, bought, sold, negotiated, worked, just as he pleased. The last vestiges of serfdom could only be seen in one or two of the recently-conquered provinces of Eastern France; everywhere else serfdom had entirely disappeared, and even its abolition went back to such a distant past that its very date was forgotten. Learned research of our own time has proved that from the thirteenth century serfdom was no longer found in Normandy.

But in the condition of the people of France still another revolution of a quite different character had taken place; the peasant had not only ceased to be a serf, he had become a landowner. This fact is still to-day so badly recognized, and it has had, as we shall see, so many consequences that I may be permitted to stop here for a moment to consider it.

It has been long thought that the division of landed property dated from the Revolution, and was only produced by it; the contrary is proved by every kind of evidence.

Twenty years at least before the Revolution, agricultural societies are found already deploring the excessive subdivision of the soil. 'The partitioning of estates,' said Turgot about the same time, 'is such that a property, which

formerly was sufficient for a single family only, is now divided between five or six sons. These sons and their families can no longer subsist solely from the land.' Necker said some years later that there was in France an *immensity* of small country properties.

I read in a secret report made to an Intendant a few years before the Revolution: 'Inheritances are divided equally in a disturbing fashion, and everyone wanting to have a part of everything and everywhere, plots of land are divided *ad infinitum*, and are unceasingly subdivided.' You might think that these words were written to-day!

I have taken infinite trouble myself to reconstruct a kind of land-survey of the 'old order,' and I have on occasions succeeded. In accordance with the law of 1790 which established the land tax, each parish had to draw up a return of properties then existing within its boundaries. These returns have for the most part disappeared; nevertheless, I have unearthed them in a certain number of villages, and, comparing them with the rolls of our own day, I have found in these villages that the number of land-owners was as high as half, and often as high as two-thirds of the present number; a very remarkable fact if you recollect that the total population of France has increased by more than a quarter since that time.

Already, as in our own day, the peasant's love for property in land was extreme, and all the passions born in him by the possession of the soil were aflame. 'Land is always sold above its value,' said an excellent contemporary observer, 'this comes from the passion which all the inhabitants have of becoming owners. All the savings of the lower classes, which elsewhere are invested in private concerns or in the public funds, are devoted in France to the purchase of land.' Among all the novelties which Arthur Young noticed in France, when he visited it for the first time, there was none that struck him more than the great division of the soil among the peasants; he declares that half the soil was owned by them. 'I had no idea,' he often

says, 'of such a state of things'; and in fact such a state of things was nowhere to be found elsewhere than in France, or in its immediate neighbourhood.

In England there had been peasant proprietors, but their number was now much smaller than it had been. In Germany there had been at every time and everywhere a certain number of free peasants who possessed in full ownership portions of the soil. The particular and often bizarre laws, which regulated the property of the peasant, are found in the oldest Germanic customs, but this kind of ownership has always been exceptional, and the number of these small landed proprietors very small.

The districts of Germany in which, at the end of the eighteenth century, the peasant was a landowner and almost as free as in France, were situated for the most part along the Rhine; it is there, too, that the revolutionary passions of France have spread most quickly, and have always been most active. The parts of Germany which have been, on the contrary, for the longest time impervious to these passions were those in which nothing of the sort was seen. A fact worthy of remark.

It is then a common error to believe that the subdivision of landed property dates in France from the Revolution. The subdivision is far older than the Revolution. The Revolution, it is true, sold all the lands of the clergy and a great part of the lands of the nobles, but if the minutes of these sales are consulted—I have sometimes had the patience to do so—it will be seen that the greater part of these lands were bought by people who already possessed other lands; so that, even if the property has changed hands, the number of proprietors was far less increased than might be supposed. There were already in France an *immensity* of these people, to use the ambitious but on this occasion just expression of M. Necker.

The effect of the Revolution was not to divide the soil, but to free it for a moment. All these small proprietors were indeed burdened in the cultivation of their lands, and sub-

ject to many charges from which they could not free themselves.

These charges were no doubt burdensome, but the circumstance which made them appear unbearable was exactly that which might have been thought likely to lessen their weight; these same peasants had been withdrawn more than in any other part of Europe from the government of their lords—a revolution as important as that which had made them landowners. Although the 'old order' is still very near to us, since we meet every day men who were born under its laws, yet it seems already lost in the night of ages. The radical revolution, which separates us from it, has produced the effect of centuries; it has obscured all that it did not destroy. There are then few people who can answer to-day correctly this simple question—'How were the country districts administered before 1789?' And, indeed, this question cannot be answered with precision and detail without having studied, not books, but the administrative archives of that period.

I have often heard people say—'The nobles, who had long ceased to take part in the government of the state, preserved right to the end the administration of the country districts; the lord of the manor governed his peasants.' This is very like a mistake.

In the eighteenth century all the affairs of the parish were conducted by a number of officials, who were no longer the agents of the manor, nor chosen by the lord. Some were nominated by the *Intendant* of the province, others were elected by the peasants themselves.

It was the duty of these authorities to assess the taxes on individuals, to repair the churches, to build the schools, to summon and preside over the parish meeting. They watched over the communal property and regulated its use, they sued and were sued in the name of the parish. Not only did the lord not direct the administration of all these little local matters, but he did not even superintend them. All the officials of the parish were under the government or under

the control of the central power, as will be shown in the following chapter. Further, the lord was hardly ever seen to act as the King's representative in the parish, or as the intermediary between him and the inhabitants. It was no longer the duty of the lord to enforce in the parish the general laws of the state, to call out the militia, to levy the taxes, to publish the orders of the King, to distribute his bounty. All these duties and these rights belonged to others. The lord was in reality merely an inhabitant whom immunities and privileges separated and isolated from all the others. His status was different, not his power. 'The lord is only a first inhabitant,' the Intendants are careful to say in their letters to their sub-delegates.

If you leave the parish and consider the wider rural districts, you will find the same phenomenon. Nowhere do the nobles administer, either collectively or individually. This fact was peculiar to France. Everywhere else the characteristic feature of the old feudal society was in part preserved; the ownership of land and the government of the residents were still joined together.

England was administered as well as governed by the principal landed proprietors. Even in those parts of Germany such as Prussia and Austria, where the ruling princes had been most successful in freeing themselves from control by the nobles in the general affairs of state, they had allowed the nobles in great measure to retain the administration of the country districts, and if in some places they had taken steps to control the lord, nowhere had they yet taken his place.

To tell the truth, the nobles of France for a long time past had had nothing to do with public administration except in the single point of justice. The principal nobles had preserved the right of having judges who decided certain suits in their name, and still from time to time issued police-regulations within the limits of the manor; but the royal power had gradually curtailed, limited, subordinated, the seignorial justice to such an extent that the lords who still

exercised it regarded it less as a power than as a source of revenue. This was the case with all the individual rights of the nobles. The political side had disappeared; the pecuniary side alone remained and sometimes the revenue from this source had largely increased. I only want to speak at this moment of that portion of lucrative privileges which bore *par excellence* the name of feudal rights, since it was they particularly which affected the people.

It is difficult to say to-day in what these rights still consisted in 1789; for their number had been immense and their diversity prodigious, and many among them had already disappeared or had been transformed; so that the meaning of the words which described them, already indistinct to contemporaries, has become to us very obscure. Nevertheless, when the books of the eighteenth-century feudal lawyers are consulted, and when local usages are attentively studied, it is clear that all the rights still existing can be reduced to a small number of leading varieties; the rest survive, it is true, but they are isolated instances.

The traces of the seignorial labour-rents (*corvée*) are found almost everywhere half extinguished; the greater part of the tolls on the roads were reduced or abolished; nevertheless, there were only a few provinces in which several tolls were not still to be found; everywhere the nobles levied dues on the fairs and the markets; everywhere they enjoyed the exclusive right to the chase. Generally they alone possessed dovecots and pigeons; almost everywhere they compelled the peasant to bring their corn to the lord's mill and their grapes to his wine-press. A universal and very onerous right was that of *lods et ventes*, that is to say, a fine paid to the lord, whenever land was sold or bought within the boundaries of the manor. Everywhere in short, the land was burdened with quit-rents, ground-rents, payments in money or in kind, due to the lord by the cultivator, and irredeemable.

Amidst all these diversities one common feature is found; all these rights are more or less attached to the soil or its products; all hit the cultivator.

The lords spiritual enjoyed the same advantages; for the Church, which had a different origin, a different destination, and a different nature than feudalism, had ended nevertheless by being intimately mingled with it, and, though it was never completely incorporated with this foreign substance, it had struck so deeply into it that it was so to speak incrustated by it.

Bishops, canons, abbés owned fiefs or rent-charges by virtue of their ecclesiastical positions. The convent generally had the lordship of the village on the land of which it was built. It had serfs in the only part of France, where serfdom still existed; it employed forced labour, it levied its dues on fairs and markets, it had its oven, its mill, its wine-press, its town-bull. Further, the clergy enjoyed in France, as in the rest of the Christian world, the right of tithe. But what I want to emphasize is that in all Europe at that time the same feudal rights, *exactly the same*, were found, and that in most countries of the continent they were far more burdensome. I will give the single instance of the lord's right to forced labour. In France it was rare and mild; in Germany it was still universal and harsh.

Nay more, many of the rights of feudal origin which most revolted our fathers, which they considered not only as contrary to justice, but to civilization itself, such as tithe, irredeemable ground-rents, perpetual charges, *lods et ventes*, what was called in the somewhat exaggerated language of the eighteenth century *the servitude of the land*, all these things were partly found then in England; several of them are found there still to-day. They do not hinder English agriculture from being the richest and most perfect in the world, and yet the English people are hardly conscious of their existence.

Why, then, did these same feudal rights excite in the heart of the French people so fierce a hate that it has even survived its object, and seems almost inextinguishable. The cause of this phenomenon is, on the one hand, that the French peasant had become a landowner, and that, on the



other hand, he had entirely escaped from the government of his lord. Doubtless there were many other causes, but I think that these were the chief.

If the peasant had not owned the soil, he would, so to speak, have been insensible to many of the charges which the feudal system imposed on landed property. What matters tithe to a man who is not an owner? He deducts it from the rent. What matters a rent-charge to the man who is not owner of the property? What matter even hindrances to cultivation to the man who cultivates for another?

On the other hand, if the French peasant had still been governed by his lord, the feudal rights would have seemed much more endurable, because it would have been thought by him to be a natural consequence of the constitution of the country.

When the nobles possessed not only privileges but powers, when they governed and administered, their particular rights could at once be greater and yet less perceived. In the feudal era the nobility were considered almost in the same light as the government is to-day; the burdens they imposed were supported in view of the security they gave. The nobles had annoying privileges, they possessed onerous rights; but they secured public order, administered justice, made the law executed, came to the rescue of the weak, managed public affairs. In proportion, as the nobles ceased to do these things, the weight of their privileges seemed heavier, and finally their existence seemed incomprehensible. Picture to yourself, I ask you, the French peasant of the eighteenth century, or rather the peasant you know, for he is always the same; his status has changed, but not his temperament. Look at him as he is depicted in the documents I have cited, so passionately fond of the soil that he consecrates all his earnings to its purchase, and buys it at any price. To acquire it, he must first pay a tax, not to the government, but to other landowners of the neighbourhood, as foreign as he is to the administration of public business, and almost as powerless as he is. He possesses it at last; he

buries his heart in it with the grain he sows. This little corner of earth, of which he himself is owner in this vast universe, fills him with pride and independence. However, these same neighbours take him away from his plot, and oblige him to go and work elsewhere without salary; does he wish to protect his seed from their game; they prevent him; they wait for him at the river ford to take a toll. He finds them at the market, where they sell him the right to sell his own produce; and when, returned home, he wants to turn to his own use the remainder of his corn—that corn which has grown under his own eyes and by his own handiwork, he can only do so after having sent it to be ground in the mill and baked in the oven of these same men. A part of the revenue of his little domain is devoted to paying them quit-rents which are irredeemable. Whatever he does, he meets everywhere these annoying neighbours barring his path, to trouble his pleasure; to hinder his work, to eat his produce; and, when he has finished with them, others clothed in black present themselves to carry off the most available part of the harvest. Picture to yourself the condition, the needs, the character, the passions of this man, and calculate, if you can, the store of hate and envy that is accumulated in his heart.

Feudalism remained the greatest of all our civil institutions, while it had ceased to be a political institution. Reduced to this extent it excited much greater hatred; it can be said with truth that the destruction of a part of the institutions of the Middle Ages had rendered a hundred times more hateful that part which remained.

## CHAPTER II

### *Administrative Centralization an Institution of the 'Old Order' and not, as some have said, the Work of the Revolution and the Empire.*

At the period when we still had in France political assemblies, I once heard an orator, when speaking of the administrative centralization, describe it as 'this splendid triumph of the Revolution which is envied us by Europe.' I agree that the centralization is a splendid triumph, I admit that it is envied us by Europe; but I maintain that it is not a triumph of the Revolution. It is, on the contrary, a product of the 'old order,' and, I will add, the only part of the political constitution of the 'old order' which survived the Revolution, because it alone was able to adapt itself to the new social state created by this revolution. The reader who has the patience to read attentively the present chapter will find perhaps that I have superabundantly proved my contention.

Let me, to begin with, put on one side the so-called *pays d'état*, that is to say, the provinces which administered their own affairs, or rather had the appearance of partly doing so.

The *pays d'état*, situated in the outermost limits of the kingdom, scarcely contained a quarter of the total population of France, and amongst them there were only two in which provincial liberty was a really living force. I shall return later to the *pays d'état* and show just how far the central power had subjected even these provinces to the common form.

I want principally to concern myself here with what was termed in the administrative language of the period the *pays d'élection*, though in them there was less of elec-

tions than anywhere else. They surrounded Paris on every side, they were a continuous whole, they formed the heart and the better part of the body of France.

A first glance at the old administration of the kingdom shows everywhere at first diversity of rules and of authority, confused entanglement of powers. France was covered with administrative bodies or with separate officials who did not depend upon each other, and who took a share in the government by virtue of some right which had been purchased by them and was irredeemable. Often their functions overlapped in such a way that they collided and clashed in the sphere of the same matters of business.

The courts of justice indirectly took a share in the legislative power; they had the right to make administrative rules, which were in force within the limits of their jurisdiction. Sometimes they braved the administration properly so-called, loudly blamed its measures and issued decrees against its agents. Simple judges made police-ordinances in the towns and boroughs in which they resided.

The towns had very diverse constitutions. Their magistrates bore different titles and drew their powers from different sources; in one place there was a mayor, in another place consuls, elsewhere there were syndics. Some were chosen by the king, others by the old lord of the manor, or the princely holder of the apanage; some were elected for a year by their fellow-citizens, while others had bought the right of governing their fellow-citizens in perpetuity.

Here then were the remains of the ancient powers; but gradually there had established itself in their midst something comparatively new or greatly transformed. It is my task to describe it.

At the centre of the realm and close to the throne was formed an administrative body of singular power in which all powers were united in a new fashion—the Council of the King.

In origin it was ancient, but the greater part of its functions was of recent date. It was everything at once: supreme court of justice, for it had the right to quash the decisions of all the ordinary tribunals; superior administrative tribunal, for on it in the last resort depended all the special jurisdictions. As council of government it further possessed, subject to the good pleasure of the king the legislative power; it discussed and proposed most of the laws; it fixed and portioned out the taxes. As superior council of administration it was its duty to lay down the general rules which were to guide the agents of government. Itself decided all matters of importance and kept a watch on all secondary powers. All matters finally came before it, and from it came the impulse, to which everything owed its movement.

However, it had no jurisdiction properly its own. It was the king alone who decided, even when the council seemed to pronounce the decision. Even when it had the appearance of administering justice, it was only composed of simple *givers of advice*, as the Parlement once declared in one of its remonstrances.

This council was not composed of great lords, but of persons of middling or of low birth—ex-Intendants and other persons trained in the practice of affairs, all holding their positions at the pleasure of the crown. Speaking generally it acted discreetly and without noise, exhibiting less pretension than power. Also of itself it had no lustre; or rather, it was lost in the splendour of the throne so close; it was so powerful that it had its finger on everything, and at the same time it was so obscure that it was hardly noticed by history.

Just as the whole administration of the country was directed by a single body, so all the management of internal affairs was entrusted to the care of a single official, the 'Controller-General.'

If you open an almanac of the 'old order,' you will find in it that every province had its own particular

minister; but when the administration is studied in the public documents it is very soon seen that it was only on some quite unimportant occasions that the minister of the province was free to act. The ordinary course of business was conducted by the Controller-General; the latter had gradually drawn to himself all matters that had to do with money, that is to say, with almost the whole public administration. He is seen acting successively as minister of finance, minister of the interior, minister of public works, minister of commerce.

As the central administration had only, to speak the truth, a single agent in Paris, so also it had only one single agent in each province. There are still found in the eighteenth century great lords who bear the title of Governors of Provinces. They were the ancient representatives, often hereditary, of feudal royalty. They were still granted honours, but they no longer had any power. The Intendant possessed all the reality of government.

The Intendant was a man of humble birth, never a native of the province, a young man who had his fortune to make. He did not exercise his powers by right of election, birth, or purchase of office; he was chosen by the government from amongst the inferior members of the Council of State, and he always was liable to dismissal. Detached from this body, he was its representative, and that was why in the administrative language of the period he was called 'Commissioner sent out on special service.' In his hands were accumulated almost all the powers which the Council itself possessed: he exercised them all in the first instance. Like the Council he was at once administrator and judge. The Intendant corresponded with all the ministers; he was the sole agent in the province of all the decisions of government.

Beneath him and nominated by him there was placed in each canton an official—the *subdélégué*—who could be dismissed at pleasure. The Intendant was generally one of the 'new nobility,' the *subdélégué* was always a

plebeian. Nevertheless he represented the whole government in the small area assigned to him, just as the Intendant did in the whole 'généralité.' He was subordinate to the Intendant, just as the Intendant was to the minister.

The Marquis d'Argenson relates in his Memoirs that one day Law said to him—'Never would I have believed what I saw, when I was Controller of finance. Know that this kingdom of France is governed by thirty Intendants. You have neither Parlement, nor Estates, nor Governors; there are thirty Masters of Requests appointed to the provinces, on whom depend the happiness or the unhappiness, the plenty or the barrenness of these provinces.'

These powerful officials were however thrown into the shade by what was left of the ancient feudal aristocracy and were so to speak lost in the midst of the brilliant light still shed by it. That was why even in their own time they were scarcely seen, though their hand was already upon everything. In society the nobles had the advantage over them of rank, of wealth, and of the consideration that always is attached to what is ancient. In the government the nobles surrounded the prince and formed his court; they commanded the fleets and directed the armies; in a word they did what most struck the eyes of contemporaries, and too often detains the attention of posterity. A great lord would have been insulted if it had been proposed to nominate him as Intendant; the poorest gentleman by birth would generally speaking have disdained the position. The Intendants were in their eyes the representatives of an intruding power, 'new men,' charged with the government of the middle classes and the peasants, and besides pretty small beer as company. These men however governed France, as Law said, and as we shall presently see.

Let us start with the right of taxation, which in a sense includes within itself all other rights.

It is known that some of the taxes were farmed out;

as to these it was the Council of the King who negotiated with the financial companies, fixed the terms of the contract and regulated the method of collection. All the other taxes, such as the *taille*, the *capitation*, and the *vingtièmes*, were fixed and levied directly by the agents of the central government, or under their omnipotent control.

It was the Council which by a secret decision fixed each year the amount of the *taille* and its numerous accessories, and also its apportionment among the provinces. The *taille* had thus been increased from year to year without anyone having been warned in advance by a noise being made.

As the *taille* was an ancient tax, its assessment and levy had been formerly entrusted to local agents, who were all more or less independent of government, since they exercised their powers by right of birth or of election, or of purchase of office. These were the lord of the manor, the parish collector, the treasurers of France, the *élus*. These authorities still existed in the eighteenth century. But some of them had altogether ceased to concern themselves with the *taille*, others only did so in a very secondary and completely subordinate fashion. Even here the whole power was in the hands of the Intendant and his agents; he alone in reality apportioned the *taille* among the parishes, directed and superintended the collectors, granted delays or release from payment.

Other taxes, such as the *capitation*, being of recent date, the government was not further inconvenienced by the survivals of old powers; here it acted alone without any intervention of the governed. The Controller General, the Intendant, and the Council fixed the amount of each share.

Let us pass from money to men.

We are sometimes astonished that the French at the time of the Revolution and ever since have endured so patiently the yoke of military conscription. But it must be remembered that for long ages they had all been bent



and forced to it. The conscription had been preceded by the militia, a heavier charge though the numbers demanded were smaller. From time to time the young men of a district were made to draw lots, and a certain number of soldiers were enrolled and from them were formed militia regiments, in which the service lasted for six years.

As the militia was a comparatively modern institution, none of the ancient feudal powers was concerned with it; the whole transaction was entrusted to the agents of the central government alone. The Council fixed the amount of the general levy and the share of each province. The Intendant regulated the number of men to be levied in each parish; his subdelegate presided at the drawing of the lots, decided cases of exemption, indicated those militia-men who could, and those who could not, remain in their own homes, and handed over the latter to the military authority. There was no appeal except to the Intendant and to the Council.

It can likewise be stated that outside the *pays d'état* all public works, even those which had the most special purpose, were decided on and managed by the agents of the central power alone.

There certainly existed still independent local authorities, who, like the lord, the boards of finance, the surveyors of roads were entitled to take part in this sphere of public administration. But almost everywhere these old authorities concerned themselves little, or not at all. This is shown by the most cursory examination of the administrative documents of the time. All the main roads, and even the roads, which led from one town to another, were metalled and maintained from the public funds. It was the Council which determined the plan and made the contract. The Intendant directed the work of the engineers, the subdelegate assembled the forced labour which was to carry it out. The old authorities were simply left with the care of the parish roads which from this time became impossible.

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Just as in our own days the great agent of the central government in the matter of public works was the body of the *Ponts et Chaussées*. Notwithstanding the difference between then and now there is in this matter a complete resemblance. The administration of the *Ponts et Chaussées* had a council and a school; inspectors who annually traversed the whole of France; engineers who resided at fixed places, and whose duty it was, under the orders of the Intendant, to direct all the works. The institutions of the 'old order,' which to a far greater extent than is generally supposed have been transported into the new order of society, have generally speaking in the transition lost their names even when they have preserved their forms. But the *Ponts et Chaussées* have kept both—a rare event.

The central government undertook alone, with the help of its agents, to maintain public order in the provinces. The mounted police were spread in small brigades over all the surface of the kingdom and placed everywhere under the direction of the Intendants. It was with the help of these soldiers, and if necessary of the army, that the Intendant countered all unforeseen dangers, arrested vagabonds, repressed begging, and crushed the semi-riots which were incessantly being caused by the price of corn. It never happened, as in former days, that the governed were summoned to aid the government in this part of its task, except in the towns, where there generally existed an urban guard, of which the soldiers were chosen and the officers nominated by the Intendant.

The judicial bodies had preserved and often used the right of making police-regulations, but these regulations were only binding on a part of the territory and most often only on a single place. The Council could always quash them, and when inferior jurisdictions were concerned it constantly did so. On its side the Council was always making general regulations binding equally the whole kingdom, it might be on subjects different from those

regulated by the tribunals, or again it might be on the same subjects which the tribunals had regulated differently. The number of these regulations, or as they were then called *arrêts du conseil*, was immense, and they continually increased the nearer we approach the Revolution. There is scarcely any part of the social economy or of the political organization that was not remodelled by *arrêts du conseil* during the forty years preceding the Revolution.

In the ancient feudal society, if the lord possessed important rights, he had also important duties. It was up to him to succour the needy within his domains. We find a last trace of this old European legislation in the Prussian code of 1795 where it is said—‘The lord must see that the poor peasants receive education. He ought as far as possible to procure means of livelihood to those of his vassals who have no land. If any of them fall into want he must come to their rescue.’

For a long time past no such law any longer existed in France. The lord, having been deprived of his ancient powers, had withdrawn himself from his ancient obligations. No local authority, no council, no provincial or parochial association had taken his place. No one was any longer obliged by the law to concern himself with the poor of the country-districts; the central government had boldly undertaken by itself to provide for their needs.

Every year the Council assigned to each province certain funds drawn from the general produce of the taxes, which the Intendant distributed in relief among the parishes. It was to him that the necessitous labourer was bound to apply. In times of dearth it was the Intendant who ordered a distribution of corn or rice among the people. The Council annually issued decrees which ordered the establishment in certain places, which it took care to indicate itself, of charity workshops, in which the poorest peasants could work for a low wage. It can easily be believed that a charity worked from such a distance

was often blind or capricious and always very insufficient.

The central government did not confine itself to coming to the rescue of the peasants in their misery; it claimed to instruct them in the art of getting rich, to aid them and if need be force them to become so. With this end in view from time to time it ordered the distribution by the Intendants and their subdelegates of pamphlets on the art of agriculture; it founded agricultural societies, promised prizes, maintained at great expense nurseries, of which it distributed the products. It would seemingly have been more to the point to have lightened the weight and to have lessened the inequality of the burdens, by which agriculture was then oppressed. But such a thought seems never to have crossed the mind of the Council.

Sometimes it tried to compel individuals to prosper, however much they resented it. Decrees compelling artisans to use particular methods and to manufacture particular products were innumerable. and, as the Intendants could not adequately supervise the application of all these rules, there were inspectors general of industry who traversed the provinces to see that they were observed.

Some decrees of the Council forbade the growing of certain crops in lands which the Council declared unsuitable; others ordered the rooting up of vines planted, according to the Council, in a bad soil; so completely had the government already substituted the rôle of tutor for that of sovereign.

### CHAPTER III

*What is called To-day Administrative Tutelage was an Institution of the Old Order of Society.*

**I**n France municipal liberty survived feudalism. When already the lords had ceased to administer the country-districts, the towns still retained the right of self-government. Right down till the end of the seventeenth century some towns continued to form, so to speak, small democratic republics, in which the magistrates were freely elected by and responsible to the people, in which municipal and public life were active, in which the city is shown as still proud of its rights and very jealous of its independence.

Elections were only generally abolished for the first time in 1692. The municipal functions were then turned into 'offices'—that is to say, the king sold to certain inhabitants in each town the right of governing in perpetuity all the other inhabitants.

It was to sacrifice not merely the liberty but also the well-being of the towns. For, if the putting up to sale of public duties has often had useful effects, when the courts of law were concerned, it has never failed to have deadly effects when the matter in question is administration properly so-called, in which the most necessary requirements are responsibility, subordination, zeal. The government of the ancient monarchy did not deceive itself; it was very careful not to adopt for itself the plan which it imposed on the towns, and it took great care not to put up for sale the functions of Intendant and subdelegate.

And what deserves all the contempt of history is that this great revolution was accomplished with no political end in view. Louis XI had curtailed municipal liberties

because their democratic character caused him alarm. Louis XIV destroyed them though he had no fear of them. The proof lies in the fact that he restored municipal liberties to all towns which were in a position to buy them back. In reality he wished not so much to abolish these liberties as to traffic in them, and, if the result was to abolish them, it was unconsciously achieved by a mere financial shift. And, strange to relate, the game continued for eighty years. Seven times during this period the towns were allowed to buy the right of electing their magistrates, and when they had once again tasted the pleasure, the right of appointment was resumed by government in order to sell it to them once more. The motive of the measure was always the same, and often it was openly admitted. 'The necessities of our finance,' said the preamble to the edict of 1722, 'compel us to seek for the surest means to relieve them.' The means were sure, but ruinous to those on whom this strange burden fell. 'I am struck by the immense sums which have continually been paid in order to repurchase municipal offices,' wrote an Intendant to the Controller-General in 1764; 'the sum total, if employed on useful works, would have proved profitable to the town, which on the contrary has experienced only the weight of authority and the privileges attached to these offices.' I have seen no more shameful feature in the whole of the 'old order.'

It seems difficult to-day to say precisely how the towns were governed in the eighteenth century; for, apart from the fact that the source of municipal powers was, as just stated, constantly changing, each town still preserved some shreds of its ancient constitution and customs peculiar to itself. Perhaps no two towns in France were exactly alike, but this deceptive diversity concealed their real resemblance.

In 1764 the government attempted to frame a general law for the administration of the towns. It caused reports to be sent by its Intendants on the manner in which affairs were conducted in each town. I have discovered

part of the results of this enquiry, and by reading them I have been convinced that municipal business was conducted in the same manner almost everywhere. The differences are merely superficial and apparent; the substance is everywhere the same. Most often the government of the towns was entrusted to two assemblies. This was the case with all the big and most of the small towns.

The first assembly was composed of the municipal officers more or less numerous according to the place. This was the executive power of the community, the corporation (*corps de ville*) as it was then called. Its members exercised *either* a *temporary* power and were elected, when the king had established election or when the town had been able to repurchase the right to elect—or *else* they held their positions *in perpetuity* on payment of a sum of money, that is to say when the king had re-established his right to appoint to offices, and had succeeded in selling them—a thing which did not always happen. For this kind of merchandise increasingly declined in value in proportion to the increasing subordination of the municipal authority to the central power. In no case did these municipal officers receive a salary, but they always were exempted from taxation and received certain privileges. There was no gradation of rank among them; the administration was collective. There was no one directing and responsible magistrate. The mayor was the president of the corporation, not the governor of the city.

The second assembly, styled the 'General Assembly,' elected the corporation, where election was still the custom, and everywhere continued to take part in the principal affairs of the town.

In the fifteenth century the general assembly was often composed of all the townsmen. 'This custom,' says one of the Reports, 'was in accord with the democratic spirit of our forefathers.' The whole people then elected their municipal officers; the whole people were from time to time consulted and to them the corporation was respon-

sible. At the end of the eighteenth century this was still sometimes the case.

In the eighteenth century it was no longer the people itself acting as a body which formed the general assembly. The latter was now almost always representative. But this is the point that must be noticed—it was no longer anywhere elected by the mass of the people nor instinct with its spirit. Everywhere it was composed of notables, of whom some appeared there by virtue of a right peculiar to themselves; others were sent there by corporations or companies, and each was bound by express instructions given him by his own little particular society.

As the century advanced, the number of notables sitting by their own right increased within this assembly; the deputies of the industrial corporations became less numerous or ceased to appear. Only deputies of corporate bodies were found in it; that is to say, the assembly contained only middle class people, and hardly any artisans. The people which does not, as easily as is imagined, let itself be caught by the empty show of liberty, ceased everywhere to concern itself with the affairs of the community and lived like a stranger within its own walls. Without success the magistrates attempted from time to time to reawaken in it that municipal patriotism, which worked such marvels in the Middle Ages; the people remained deaf. The most important interests of the town seemed no longer to affect them. They would be wanted to go to the poll in places where it had been thought right to retain the empty form of a free election; the people stubbornly refrained. Nothing in history is more common than such a phenomenon. Almost all the princes who have destroyed liberty have tried at first to preserve its forms; that has been the case from Augustus right down to our own days; they flattered themselves that they would thus unite to the moral force, always created by popular consent, the advantages which absolute power can alone bestow. Almost all have failed in this attempt and have very soon



discovered that it was impossible to give long life to these lying appearances, when the reality no longer existed.

In the eighteenth century then the municipal government of the towns had degenerated everywhere into a small oligarchy. Some families in the town conducted all its affairs to suit their own particular interests, withdrawn from the eye of the public and with no responsibilities towards the people; it was a disease with which the administration was stricken throughout France. All the Intendants pointed it out; but the only remedy that they conceived was to subject more and more powers to the central government. It was difficult however to carry this subjection further than had already been done; quite apart from the edicts of Council, which from time to time modified the administration of all the towns, laws peculiar to particular towns were often annulled by regulations of the Council, not registered but passed at the suggestion of the Intendants, without any preliminary investigation, and sometimes without being considered by the inhabitants of the towns themselves.

'This measure,' said the inhabitants of a town which had been struck by such a decree, 'has astonished all the orders of the town which expected nothing of the kind.'

The towns were allowed neither to set up an *octroi*, nor to levy a rate, nor to mortgage, nor to sell, nor to go to law, nor to lease their property, nor to administer their property, nor to use the surplus of their revenue, without the intervention of a decree of the Council made on the report of the Intendant. All their public works were executed in pursuance of the plans and the estimates of which the Council had approved by decree. It was in the presence of the Intendant or his subdelegates that contracts were awarded, and it was, generally speaking, the State engineer or architect which took them in hand. How surprising to those who think that everything in modern France is new!

But the central government meddled even more with

the administration of the towns than even the system, above described, indicates; its power extended much further than its right.

I find in a circular addressed towards the middle of the century by the Controller General to all the Intendants—'You will pay particular attention to everything that occurs in the municipal assemblies. You must get an exact account and report of all the resolutions passed and send them to me immediately with your own opinion.'

In fact, it is seen from the correspondence of the Intendant with his subdelegates that the government kept its finger on all the affairs of the towns, the least as well as the most important. It was consulted about everything and it had a decided view about everything; it even regulated festivities; it ordered in certain cases marks of public rejoicing; it ordered bonfires to be lit and houses to be illuminated. I find one Intendant who inflicted a fine of twenty pounds on the members of a civic guard who were absent from a *Te Deum*.

Further the municipal officers had a fitting sense of their own insignificance. 'We entreat you very humbly, monseigneur,' wrote some of them to the Intendant, 'to grant us your goodwill and protection. We will try to show ourselves not unworthy of it by our submission to all the orders of Your Highness.' 'We have never opposed your wishes, monseigneur,' wrote others who still gave themselves the splendid title of *Peers of the Town*.

It was thus that the bourgeois class prepared itself for government, and the people for liberty.

If at least this strict dependence of the towns had saved their finances! but nothing of the sort! It had been argued that without centralization the towns would very soon have been ruined. I do not know; but it is certain that in the eighteenth century centralization did not save them from ruin. The whole administrative history of this period is full of the disorder of their affairs.

If we pass from the towns to the villages we meet

with other powers, other forms, but the same dependence.

I find indeed indications which inform me that in the Middle Ages the inhabitants of each village formed a community distinct from the lord; the latter made use of its services, watched over it, governed it; but the village possessed in common certain properties, of which it had the exclusive ownership; it elected its own chiefs, it administered its own affairs democratically.

This old constitution of the parish is found in all the nations, which were feudal in type, and in all the countries to which these nations carried the remains of their laws. Traces of it are everywhere to be found in England, and it was still all alive in Germany sixty years ago, as can be proved by reading the code of Frederic the Great. In France even, there still existed some traces of it in the eighteenth century.

I remember that when for the first time I investigated the archives of an intendancy to discover the nature of a parish in the 'old order' of society I was surprised to find in this community, so poor and so servile, several features which had formerly struck me in the rural communities of America, and which I had then wrongly thought must be peculiar to the New World. Neither the one nor the other had a permanent representation, that is to say a municipal body properly so called. Both were administered by officials who acted separately under the direction of the whole community. Both had from time to time general assemblies in which all the inhabitants, united as a single body, elected their own magistrates, and regulated their most important affairs. They resembled each other in a word just in so far as a living can resemble a dead person.

These two entities, so different in their destiny, had in fact the same origin.

Transported at a single stroke far away from Feudalism, and absolute mistress of itself, the rural parish of the Middle Ages became the township of New England. Separated from the Lords, but locked in the powerful embrace

of the State, it became in France that which we are going to describe.

In the eighteenth century the name and number of the officials of the parish varied from province to province. The old documents prove that these officials were more numerous, when local life was more active; their number diminished, as local life decayed. In most parishes in the eighteenth century they were reduced to two; the one was called the *Collector*, the other was most often called the *Syndic*; generally speaking, these municipal officers were still elected or were supposed to be so; but everywhere they had become the instruments of the state rather than the representatives of the community. The Collector levied the *taille* under the direct orders of the Intendant. The Syndic, put under the daily direction of the subdelegate of the Intendant, represented him in all matters that had to do with public order or with the government. He was its principal agent when it was a question of the militia, of public works, of the execution of all general laws.

The lord, as we have already seen, remained a stranger to all these details of government; he no longer even superintended them; he gave no help; nay more, these interests, by which formerly his power had been supported, now appeared to him unworthy of him, just in proportion to the continuous decline of the power itself. His pride would now have felt itself injured if he had been invited to engage in these tasks. He no longer governed; but his presence in the parish and his privileges hindered the establishment of any good parochial government in place of his own. A particular person, so different from all the others, so independent, so much favoured, destroyed or enfeebled the supremacy of all law.

As contact with him (I shall show this later on) had made almost all the inhabitants, who possessed a competence or intelligence, flee successively to the towns, there only remained beside himself a troop of ignorant

and boorish peasants, quite incompetent to direct the administration of their common affairs. 'A parish,' Turgot said with reason, 'is an assemblage of cabins and of inhabitants equally passive with the cabins.'

The administrative documents of the eighteenth century are full of complaints caused by the incapacity, the sluggishness, and the ignorance of the parochial Collectors and Syndics. Ministers, Intendants, subdelegates, gentlemen even, all of them constantly deplore the fact; but no one traced the effect to its true cause.

Right down to the Revolution the rural parish in France preserved in its government something of that democratic aspect which it had displayed in the Middle Ages. Was it a matter of electing municipal officers, or of discussing some matter of common interest, the village bell summoned the peasants to the porch of the parish church; there, poor and rich alike had the right to present themselves. Once the meeting was assembled, there was, it is true, no deliberation properly so called, and no vote; but each person could express his own opinion, and a notary, summoned for this purpose and drawing up a deed in the open air, collected the different opinions and entered them in an official record.

If this empty show of freedom is compared with the actual impotence united to it, it can already be seen in miniature how the most complete absolutism can be combined with some of the forms of the most extreme democracy in such a way that oppression can be combined with the absurdity of pretending not to see it. This democratic assembly of the parish was well able to express its views, but it had not the right of giving effect to its wishes any more than the municipal council of the town. It could not even speak except when its mouth had been opened; for it was only after having begged the express permission of the Intendant and, to use the expression that was then applied to the fact, *under his good pleasure* that the meeting was allowed. Were the meeting unani-

mous, it could neither levy a rate, nor sell, nor buy, nor let, nor go to law, without permission of the Council of the King. To repair the damage just done by the wind to the roof of the church, or to rebuild the falling wall of the parsonage, a decree of the King's Council was required. The rural parish most distant from Paris was bound by this rule no less than the parishes most near. I have seen parishes ask from the Council the right to use twenty-five pounds.

Generally speaking, it is true, the inhabitants had preserved the right of electing by universal vote their magistrates; but often the Intendant designated to this small electoral body a candidate who hardly ever failed to secure unanimous election. On other occasions the Intendant quashed an election spontaneously made, himself nominated the Collector and the Syndic, and postponed indefinitely all new elections. I have seen a thousand examples of it.

No fate can be imagined more cruel than that of these parochial officers. The lowest agent of the central government made them obey his least caprice; often he fined them; sometimes he had them imprisoned; for the guarantees, which elsewhere still protected the citizens against arbitrary treatment, had here no more existence. 'I have had imprisoned,' said an Intendant in 1750, 'some of the principal persons of the villages who showed discontent, and I have made the villages pay for the visit of the mounted police. By this means they have been easily subdued.' The parochial offices were regarded less as honours than as burdens, which men sought to avoid by every kind of subterfuge.

However these last remains of the old government of the parish were still dear to the peasants, and even to-day, of all public liberties the only one which they quite understand is parochial liberty. It is really the only matter of a public nature that interests them. The man who voluntarily leaves the government of the whole nation

in the hands of a master kicks against the idea of not having his own word to say in the management of his village; so much weight still resides in the most empty forms.

What I have just said of the towns and parishes must be extended to almost all the corporate bodies which had a separate existence and collective property.

Under the old order of society, just as in our own days, there was in France no town, no borough, no village, no hamlet however small, no hospital, no board, no convent, no college, which could have an independent will in its own particular affairs, or administer its own affairs according to its own will. Then, as to-day, the administration held all Frenchmen in tutelage; and if the insolence of the word had not yet been invented, at any rate the fact already existed.

## CHAPTER IV

### *Administrative Justice and Indemnity of Officials were Institutions of the 'Old Order' of Society.*

There was no country in Europe, in which the ordinary courts-of-law were less dependent on government than in France; but there was hardly any country in which extraordinary tribunals were more commonly employed. These two things were more closely connected than is generally thought. As the king had hardly any influence on the career of the judges; as he could neither dismiss them, nor transfer them from place to place, nor in most cases promote them; as, in a word, he could neither hold them by ambition nor by fear, he very soon felt embarrassed by their independence. This had led him, more than happened anywhere else, to withdraw from them the cognisance of matters which directly affected his power, and to create for his own particular use by their side a more dependent kind of tribunal, which presented to his subjects some show of justice without making him fear the reality.

In countries such as certain parts of Germany, where the ordinary courts of law had never been as independent of Government as the French tribunals of that date, such precautions were not taken, and administrative justice never existed. The Prince there found himself sufficiently master of the judges to have no need of special commissions.

If the edicts and declarations of the king published in the last century of the monarchy, as well as the decrees of the Council issued in this same period, are read, there will be found few in which the Government, having taken a measure, omits to say that disputes, to which it may give rise, and law-suits, which may be caused by it, will



be exclusively taken before the Intendants and before the Council. 'Furthermore His Majesty orders that all disputes which may arise about the execution of the present decree, its appurtenances and connexions, shall be brought before the Intendant, to be judged by him, saving only an appeal to the Council. Our ordinary courts are forbidden to take cognisance of such cases.' It is the usual formula.

In matters regulated by the ancient laws and customs, where this precaution had not been taken, the Council constantly interfered by way of *evocation* citing away from the ordinary judges any matter, in which the administration was interested, and calling it before itself. The registers of the Council are full of such decrees of evocation. Gradually the exception became the general rule, the fact was transformed into a theory. It was laid down as a maxim of state, not in the laws but in the mind of those who applied the laws, that all suits in which a public interest was concerned, or which arose from the interpretation of an administrative act, were not within the province of the ordinary judges, whose only function was to pronounce between private interests. In this matter we have only invented the formula; the idea belonged to the old order of society.

From this time onwards most of the disputes, which arose concerning the collection of the taxes, were within the exclusive jurisdiction of the Intendant and of the Council. The same rule was applied to everything connected with the regulation of traffic, public carriages, the great roads, the navigation of rivers, etc.; speaking generally, all suits, in which the public authority was concerned, were settled before the administrative tribunals.

The Intendants interested themselves greatly in the continuous extension of this exceptional jurisdiction; they warned the Controller-General and spurred on the Council. The reason assigned by one of these magistrates for obtaining an *evocation* deserves preservation—'The ordinary judge,' said he, 'is subject to fixed rules, which oblige him

to put down an unlawful act, but the council can always ignore rules for some useful purpose.'

In accordance with the principle the Intendant or the Council often cited away before themselves suits which had only the slightest connection, or which obviously had no connection whatever, with the public administration. A gentleman quarrels with his neighbour, and dissatisfied with the dispositions of his judges asks the Council to *evoke* the suit. The Intendant, when consulted, replies—'Though there is nothing in question here but private rights, of which the cognisance belongs to the ordinary courts, His Majesty, if so he wills, can always reserve to himself the cognisance of every kind of affairs without his motives being challenged.'

It was as a general rule before the Intendant or the Provost of the mounted police that all the common people, who disturbed public order by some act of violence, were sent by way of *evocation*. Most of the semi-riots so often caused by the dearness of corn gave rise to *evocations* of this kind. The Intendant associated with himself a certain number of select persons, a kind of improvised district council chosen by himself, and proceeded to act as a criminal judge. I have found decrees issued in this fashion, which condemn people to the galleys and even to death. Criminal actions tried by the Intendant were still frequent at the end of the seventeenth century.

Modern legists, in considering administrative laws, assure us that great progress has been made since the Revolution. 'Formerly,' they say, 'the judicial and administrative powers were confounded; since then they have been disentangled, and each of them has been put in its proper place.' In order to appreciate the progress here mentioned it must never be forgotten that, if on the one side the judicial power in the old order of society was constantly extended beyond the natural sphere of its authority, on the other side it never completely filled that sphere. To see one of these two things without the other

is to have only an incomplete and false idea of the subject. Sometimes the regular courts were allowed to make rules on matters of public administration—that which was obviously beyond their competence; at other times they were forbidden to judge matters proper for legal process—that which was to exclude them from their proper sphere. We have, it is true, driven justice from the administrative sphere into which it had been allowed unduly to encroach under the 'old order'; but at the same time, as we have seen, government constantly encroached on the proper sphere of justice, and we have allowed it so to continue; as if the confusion of powers was not as dangerous on this side as on the other and even worse; for the interference of justice in administration is only harmful to the conduct of affairs, whilst the intervention of government in the sphere of justice depraves human beings and tends to make them at once revolutionary and servile.

Among the nine or ten constitutions which have been established in perpetuity in France during the last sixty years there is one in which it is expressly laid down that no agent of government can be prosecuted before the ordinary courts of law without a preliminary authorization. The article appeared so well conceived that, in destroying the constitution of which it formed a part, care was taken to draw it from the midst of the ruins, and ever since it has been carefully preserved and sheltered from damage done by revolutions. Members of government have still the habit of calling the privilege granted to them by this article one of the great conquests of '89. But in this they are likewise mistaken; for under the old monarchy the government took hardly less care than it does to-day to spare its officials the annoyance of having, like ordinary citizens, to render account to the courts of law. The only essential difference between the two eras is this; before the Revolution the government could only protect its agents by having recourse to irregular and arbitrary measures, whilst since that time it has been able legally to let them violate the

laws. When the tribunals of the 'old order' allowed the prosecution of any representative of the central power, a decree of the Council generally intervened, which withdrew the accused from his judges and sent him before special commissioners nominated by the Council; for, as a councillor of state of that period wrote, 'an official thus attacked would have found a prejudice in the mind of the ordinary judges, and the authority of the King would have been compromised.' This sort of evocation did not occur merely at long intervals, but every day; it was used to protect not only the chief but also the meanest agents of Government. If a man was attached by the slightest thread to Administration he had nothing to fear from any one else but it. An overseer of the *Ponts et Chaussées*, whose duty it was to direct the forced labour was prosecuted by a peasant for ill-usage. The Council evoked the case, and the chief engineer writing confidentially to the Intendant said on this subject—'In fact the overseer is very much to blame, but that is no reason for letting the action run its ordinary course; for it is of the utmost importance to the working of the *Ponts et Chaussées* that the ordinary courts of law should not hear nor receive complaints of the forced labourers against the overseers. If this example were followed, these works would be embarrassed by continual actions at law, caused by the public animosity that is felt towards these officials.'

In another case the Intendant himself wrote to the Controller-General about a State contractor who had taken from the field of a neighbour the material that he had used.—'I cannot sufficiently impress it on you how prejudicial it would be to the interests of Government to abandon its contractors to the judgment of the ordinary courts, whose principles can never be reconciled with those of Government.'

It is precisely one hundred years since these lines were written; it might be thought that the administrators who wrote them were our contemporaries.

## CHAPTER V

*How it had been possible to introduce Centralization into the midst of the Ancient Powers and to supplant them without destroying them.*

Now let us recapitulate briefly what we have said in the three preceding chapters; a single body, placed in the centre of the kingdom, which regulated the public administration throughout the country; the same minister directing almost all internal affairs; in each province a single agent who conducted all its detail; no secondary administrative bodies, nor bodies which could act until they were first authorized to move; extraordinary courts, which judged matters in which the administration was concerned and protected all the agents of government. What is this if not the centralization which we know? Its forms were less distinct, its proceedings less according to rule, its existence more disturbed; but it is the same entity. Nothing essential has had to be added or subtracted. It has only been necessary to pull down its surroundings, to reveal it such as we see it now.

The greater part of the institutions, which I have just described, have since been imitated in a hundred different places; but at that time they were peculiar to France, and we shall very soon see what a great influence they have had on the Revolution and its results. But how had these modern institutions been able to take root in France in the midst of the ruins of feudal society?

It was a work of patience, of address, and of time rather than of force and of despotic power. At the time of the outbreak of the Revolution hardly anything of the old

administrative edifice of France had been destroyed. An inner framework had, so to speak, been built beneath it.

There is nothing to show that, to achieve this difficult result, the government of the 'old order' followed a plan carefully thought out beforehand; it only gave free play to the instinct, which leads every government to wish for the exclusive management of everything, an instinct which remained always the same despite the diversity of its agents. It had left to the ancient powers their ancient names and honours, but it had gradually withdrawn from them their authority. It had not driven them away but had politely escorted them from their domains. Profiting by the inactivity of one, by the egotism of another, to take his place; taking advantage of all their vices, never trying to correct them but only to supplant them, it had finally in effect replaced almost all of them by a single agent, the Intendant, whose name was not even known when those former powers came into existence.

The judicial power alone had embarrassed the government in this great enterprise; but even here the government had ended by seizing the substance of power, leaving only the shadow to its adversaries. It had not excluded the parlements from the administrative sphere; it had simply spread itself in such a fashion that it occupied almost the whole area. On certain extraordinary and short-lived occasions, for example in times of dearth, when popular passion lent some support to the ambition of the magistrates, the central government allowed the parlements a brief period of administration and allowed them to make a noise, which often has left its echo in history; but very soon government returned in silence to its place and resumed its grasp discreetly over all men and all affairs.

If close attention is given to the conflict of the parlements with the royal power, it will be seen that it is always met with on the field of politics and not on that of administration. Generally speaking, the quarrels arise about some new tax; in other words the two rivals dispute

not about the administrative but about the legislative power, which the one had no more right to assume than the other. This is more and more the case, the nearer we approach to the Revolution. In the same degree as popular passions were set on fire, so the parlement interfered more and more in politics; and as at the same time the central power and its agents became more experienced and more clever, the parlement concerned itself less and less with administration properly so-called. Every day it became less of an administrator and more of an agitator.

The passage of time besides constantly opens to the central government new fields of action to which the courts have not the suppleness to follow it; for it is a question of new affairs foreign to their routine, in which they have no precedents to guide them. Society, which is in full progress of development, constantly gives birth to new needs, and each one of them is for government a new source of power; for it alone is in a position to satisfy them. Whilst the administrative sphere of the courts remains unchanged, the sphere of government is mobile and never ceases to grow with civilization itself. As the Revolution approached and began to agitate the minds of all Frenchmen, it suggested to them a thousand new ideas which the central government alone could realize; the Revolution, before overthrowing it, developed its power. The government machinery was like everything else itself improved. This very striking fact is revealed by a study of its archives.

The Controller-General and the Intendant of 1790 no longer resemble the Controller-General and Intendant of 1740; the administration has been transformed. Its agents are the same, but they are moved by another spirit. In proportion to the fact that administration has become more detailed and more extended, it has also become more regular and more skilful. While establishing its grasp on everything it has become more moderate; it oppresses less, it guides more.

This great institution of monarchy had been destroyed

by the first efforts of the Revolution; it was restored in 1800. It was not, as it has so often been said, the principles of 1789 which triumphed at that epoch and thenceforward in the sphere of public administration, but on the contrary those of the 'old order,' which were all then restored in full strength and so continued.

If I am now asked how this part of the 'old order' could be thus transported in mass and incorporated in the new society, I reply that, if centralization did not perish in the Revolution, it was because centralization itself was the beginning and the signal of this revolution; I will add that, when a nation has destroyed the aristocracy within its bosom, by its own momentum it glides into centralization. Much less effort is then needed to precipitate it down the slope than to hold it back. Within its heart all powers tend naturally towards unity, and it is only by great skill that they can be kept apart. The democratic revolution, which destroyed so many institutions of the 'old order,' was bound then to consolidate government, and centralization found its place so naturally in the society created by this revolution that it has easily been mistaken for one of its products.



## CHAPTER VI

### *Administrative Customs under the 'Old Order'.*

It would not be possible to read the correspondence of an Intendant of the 'old order' with his superiors and his subordinates without recognizing in wonder how the likeness of institutions rendered the administrators of that period similar to those of our own day. They seem to join hands across the abyss of the Revolution which separates them. I will say the same of the governed. Never is the power of legislation over the minds of men more clearly seen.

The Minister had already conceived the desire of penetrating with his own eyes into the details of every business and of regulating everything himself from Paris. With the passage of time and with the improvement of administration this passion grew. Towards the end of the eighteenth century there was never a charity workshop established at the furthest point of a distant province without the Controller-General wishing himself to superintend its expense, to draw up its rules, and to fix its site. Were a beggar-house set up, he had to be apprised of the names of the beggars who visited it, he had to be accurately informed of when they entered, and when they left. In the middle of the century (1733) M. d'Argenson wrote—'The detail laid on ministers is immense. Nothing is done without them, nothing except by them, and, if their knowledge is not as extensive as their power, they are forced to leave everything to their clerks who become our true masters.'

A Controller-General does not ask merely for reports on matters of business, but for petty information about individuals. The Intendant in his turn applies to his

*subdelegates* and does not fail to repeat word for word what they tell him, just as if he had all the pertinent knowledge himself.

To succeed in directing everything from Paris and in knowing everything at Paris it was necessary to invent a thousand methods of control. The mass of written documents was already enormous and the slowness of administrative procedure was so terrible that it was never for me a cause for remark, if a whole year passed before a parish was able to obtain authorization to repair its steeple or its parsonage; most often two or three years passed before the demand was granted.

The Council itself remarked in one of its decrees (March 29, 1773) that 'administrative formalities involve infinite delay in business, and cause only too often the most just complaints; the formalities are however quite necessary' it adds.

I had thought that the taste for statistics was peculiar to administrators of our own day, but I was mistaken. Towards the end of the 'old order' little printed tables were often sent to the Intendant, which he had only to get filled up by his *subdelegates* and by the *syndics* of the parishes. The Controller-General had reports made for him on the nature of the soils, on their cultivation, the kind and the amount of their products, the number of animals, the industry and the habits of the people. The information thus obtained was hardly less circumstantial or more exact than that furnished in similar cases to-day by the sub-prefects and the mayors. The judgment which the *subdelegates* passed on this occasion on the character of those they governed was generally not at all favourable; they often repeated their opinion that 'the peasant is naturally lazy, and would not work if he were not obliged to live.'

That was an economic doctrine very widely held among these administrators.

Even the administrative language of the two periods

is strikingly alike. In both the style is equally colourless, fluent, vague, and tame; all peculiarities of style in each writer are effaced and lost in a common mediocrity. To read a prefect is to read an Intendant.

Only towards the end of the century, when the language peculiar to Diderot and to Rousseau had had time to spread, and the vulgar tongue had become diluted with it, the false sentiment, which fills the books of these writers, reached the administrators and even got as far as the men of finance. The official style, of which the tissue was generally very dry, became then sometimes unctuous and almost soft. A *subdelegate* complained to the Intendant of Paris that he often experienced in the exercise of his duties 'a grief very poignant to a sensitive soul.'

As in our own day, the Government distributed among the parishes certain charitable reliefs on condition that the inhabitants should on their part make certain contributions. When the sum thus offered by them was sufficient, the Controller-General wrote on the margin of the list of contributors, 'Good, express satisfaction,' but when the offering was considerable, he wrote—'Good, express satisfaction and sensibility.'

The administrative officials, almost all bourgeois, formed already a class which had its own peculiar spirit, its own traditions, its own virtues, its own honour, its own proper pride. It was the aristocracy of the new society which was already formed and living; it only waited for the Revolution to clear a place for it.

What already characterized the Administration in France was the violent hatred with which it was inspired indifferently by all those, whether nobles or bourgeois, who wished independently of itself to concern themselves with public affairs. The smallest independent body, which seemed desirous of establishing itself without its concurrence, made it afraid; the smallest free association, whatever its object, caused it annoyance; it only allowed those to exist, which had been arbitrarily composed and

presided over by itself. The great industrial companies themselves were displeasing to it; in a word it did not wish the citizens to take any part whatever in the examination of their own affairs; it preferred sterility to competition. But as the French must always be left with the gratification of a little licence to console them for their servitude, the Government allowed them to discuss quite freely all kinds of general and abstract theories about religion, philosophy, morals, and even politics. It allowed quite willingly that the fundamental principles, on which society then rested, should be attacked, and that God himself should be discussed, provided that no criticism was passed on its own agents however mean. Such discussions were not thought by it to concern itself.

Although the newspapers of the eighteenth century, or, as they were then called, the gazettes contained more skits than polemics, the administration already regarded this small power with a very jealous eye. It was complaisant towards books, but already very harsh towards newspapers; not being able to suppress them altogether it attempted to turn them to its own use. I find in 1761 a circular addressed to all the Intendants of the kingdom, in which it was announced that the King (Louis XV) had decided that henceforth the *Gazette de France* should be written under the very eyes of the Government, 'His Majesty wishing,' said the circular, 'to make this paper interesting and to assure its superiority over all others.' 'In consequence,' adds the minister, 'you should send me an account of anything that happens in your *généralité* of a nature to interest public curiosity, particularly any thing connected with physical science, natural history and any singular or interesting facts.' With the circular was enclosed a prospectus announcing that the new gazette, although appearing oftener and containing more news than the newspaper which it replaced, would cost the subscribers much less.

Provided with these documents the Intendant wrote

to his subdelegates and set them to work, but the latter began by replying that they had no news. There followed a new letter from the minister, who complained bitterly about the barrenness of the province. 'His Majesty orders me to say that his intention is that you should occupy yourselves very seriously with this matter, and give the strictest orders to your agents.' The subdelegates then set to work, one of them sent word that a smuggler of salt had been hanged and had shown great courage; another, that a woman of his district had given birth to triplet daughters; a third, that a terrible storm had broken out without, it is true, doing any damage. There was one who declared that in spite of all the trouble he had taken he had discovered nothing worthy of remark, but that he subscribed himself to such a useful newspaper and would invite all decent folk to do the like. All these efforts however seem to have had little effect; for a new letter informs us that 'the King who has the goodness and condescension to enter into the detail of the measures necessary to improve the gazette, and who wishes to give to this newspaper the superiority and the celebrity which it deserves, has expressed great discontent at seeing his wishes so badly realized.' History is a gallery of pictures in which there are few originals and many copies.

It must however be recognized that in France the central government never imitated those governments of Southern Europe which seem only to have grasped everything to make everything barren. The former showed often a great intelligence and always a prodigious activity in its task. But its activity was often unproductive and even mischievous, because sometimes it wished to do that which was beyond its power, or did that which no one could control.

It hardly undertook, or it abandoned very soon, the most necessary reforms, which, if they were to succeed, demanded persevering energy; but it changed without ceasing regulations or laws. Nothing remained for one

instant in repose within the sphere that it occupied. New regulations succeeded each other with such a singular rapidity that its agents on being commanded often found it difficult to know how to obey. Municipal officers complained to the Controller-General himself of the extremely changing character of this secondary legislation. 'The variation of the financial ordinances alone,' said they, 'is such that, were a municipal officer unmoveable, it would not be possible for him to do anything else than study the new ordinances as they came out, even to the point of being forced to neglect his own affairs.'

Even when the law was not changed, the manner of its application varied from day to day. When the administration of the 'old order' has not been seen at work, as it can be seen, by reading the secret documents it has left behind, it is impossible to imagine the contempt into which the law finally fell even in the minds of those who applied it, when there were no longer political assemblies nor newspapers to mitigate the capricious activity and limit the arbitrary and changing humour of ministers and their offices.

There is scarcely any decree of Council which does not quote anterior laws, often of very recent date, which have been published but not executed. There was in fact no edict, no declaration of the king, no letters patent solemnly registered, which did not allow of a thousand modifications in practice. The letters of the Controllers-General and of the Intendants show that the Government constantly allowed exceptions to its own orders. It rarely broke the law, but every day it allowed the law to be graciously bent in every way to meet particular cases and make affairs run more easily.

The Intendant wrote to the minister about an *octroi* duty from which a Public Works contractor sought exemption—'It is certain that on a strict interpretation of the edicts and decrees which I have just cited no one in the kingdom is exempt from these dues, but those who

are well acquainted with the conduct of affairs know that it is with these imperious orders as it is with the penalties they pronounce, and, though they are found in almost all the edicts, declarations, and decrees imposing dues, this has never hindered exceptions being granted.' There is the 'old order' in a nutshell: a rigid rule, a lax practice. Such was its character.

If a man were to judge the government of that period by the collection of its laws he would fall into the most absurd error. I find under the date 1757 a declaration of the king, which condemns to death all authors and printers of writings contrary to religion or the established order. The bookseller who sells, the pedlar who hawks them, are to undergo the same penalty. Have we returned to the century of St. Dominic? No, it is exactly the period when Voltaire was supreme. The complaint has often been made that the French despise law; alas, when could they have ever learnt to respect it? It can be said that among the men of the 'old order' the place, which the idea of law ought to occupy in the human mind, was vacant. Every petitioner asked that a departure from the established rule should be made in his favour with as much insistence and authority as if he asked for the enforcement of the law, and in fact the law was only opposed to him when it was desired politely to get rid of him. The submission of the people to authority was still complete, but its obedience was an effect of custom rather than of will; for, if they happened to be roused, the smallest excitement led them very soon to violence, and almost always it was also violence and arbitrary power and not law which repressed them.

The central power in France in the eighteenth century had not yet acquired that healthy and vigorous constitution which it has since shown; nevertheless, as it had already succeeded in destroying all intermediary powers, and as between it and individuals there only existed an immense void, it appeared from afar to each individual as the

only source of energy in the social machine, the only indispensable agent in public life.

Nothing shows this more clearly than the writings of its very traducers. When the prolonged discomfort preceding the Revolution began to be felt, all sorts of new systems of society and government were hatched. The ends which these reformers proposed were diverse, but the means suggested were always the same. They wished to borrow the hand of the central power and use it to break everything and to rebuild everything in accordance with a new plan conceived by themselves. It alone seemed to them to be in a position to accomplish such a task. The power of the State, they said, like its right ought to be boundless; it was only a question to persuade it to make a right use of its power. Mirabeau the elder, that gentleman who was so completely wedded to the rights of the nobles that he bluntly called the Intendants *intruders*, and declared that, if the choice of magistrates was surrendered to the government alone, the courts of justice would very soon be nothing more than *bands of commissioners*, Mirabeau himself in order to realize his dreams had only trust in the action of the central power.

These ideas were not restricted to books; they sank into all minds, they influenced customs, they interfered with habits, and penetrated everywhere even into the daily practice of life.

No one thought that he could bring any important affair to a good conclusion without the intervention of the State. Agriculturists themselves, folk generally very much averse to being taught, were led to believe that, if agriculture did not improve, the fault lay chiefly with the government, which did not give them enough advice or enough assistance. One of them wrote to an Intendant in an irritated tone in which the coming Revolution is already felt—'Why does the Government not appoint inspectors to go once a year into the provinces, to see their state of cultivation, to instruct the cultivators



how to improve it, to tell them what they ought to do with their cattle, how they ought to fatten them, to rear them, to sell them, and where they ought to take them to market? It would be necessary to remunerate highly these inspectors. The farmer who gave proof of the best cultivation should receive a mark of honour.'

Inspectors and Crosses!! there's a device of which a farmer of the County of Suffolk would never have thought!

In the eyes of the great majority it was already only the Government that could secure public order; the people had only fear of the mounted police; the landed proprietors had some confidence only in it. For both, the mounted policeman was not only the principal defender of order, he was order itself. 'There is no one,' said the provincial assembly of Guienne, 'who has not noticed how the mere sight of a mounted policeman is sufficient to restrain those men who are most hostile to all subordination.' Moreover, everyone wanted to have at his door a squadron. The archives of an intendancy are full of such requests; no one seemed to suspect that under a protector could easily be hidden a master.

What most struck the émigrés, who arrived in England, was the absence of this military force. It filled them with surprise and sometimes with contempt for the English. One of them, a man of talent, but whose education had not prepared him for what he was going to see, wrote—'It is quite true that the Englishman congratulates himself on having been robbed by the reflection that at any rate his country has no mounted police. Another, who was annoyed with everything that troubled public order, at the sight of seditious people being restored to the bosom of society, consoled himself however with the thought that the letter of the law was stronger than all other considerations. These false ideas, he added, are not quite universal; there are some wise people who think the opposite, and wisdom must in the long run prevail.'

That these oddities in the English could have any connection with their liberties never occurred to him. He preferred to explain this phenomenon by more scientific reasons. 'In a country, where the moisture of the climate and the absence of nip in the air impress on the temperament a sombre hue, the people are prone by preference to engage in serious subjects. The English people are therefore drawn by their nature to concern themselves with matters of government; the French people will have nothing to do with them.'

The Government having thus taken the place of Providence it is natural that everyone should invoke its aid in his own peculiar needs. An immense number of petitions is found which, basing themselves always on the public interest, are nevertheless only concerned with petty private interests. The boxes which contain them are perhaps the only places in which all the classes, which composed the society of the 'old order,' are found mingled together. They are melancholy reading; peasants ask compensation for the loss of their cattle or their house; comfortably-off landed proprietors ask for help to improve the value of their lands; manufacturers beg the Intendant for privileges to secure them from a troublesome competition; quite commonly they inform in confidence the Intendant about the bad state of their affairs, and beseech him to obtain from the Controller-General some relief or loan. A fund was opened, it would seem, for this purpose.

The nobles themselves were sometimes great beggars; their rank is only recognizable by the lofty tone in which they beg. The tax of the *Vingtième* was for many of them the principal link of their dependence. Their share in this tax being fixed each year by the Council on the report of the Intendant, they generally address the latter to obtain delay or relief. I have read a crowd of such requests made by nobles, almost all titled and often of the highest nobility, in view, they said, of the insufficiency

of their incomes or the bad state of their affairs. Generally the nobles only called the Intendant 'Monsieur,' but I have noticed that in these circumstances, like the middle classes, they always call him 'Monseigneur.' Sometimes misery and pride are humorously mixed in these petitions. One of them wrote to the Intendant—'Your feeling heart will never allow that a father of my rank should be strictly taxed for the *Vingtième* like a father of the common people.'

In times of dearth, very common in the eighteenth century, all the inhabitants of each *généralité* turned towards the Intendant and seemed to expect their support from him alone. It is true that every man already blamed the government for all his sufferings; the most unavoidable sufferings were put down to it; it was blamed even for the inclemency of the seasons.

There is no need for surprise at the marvellous facility with which centralization was re-established in France at the beginning of this century. The men of '89 had overthrown the edifice, but its foundations were laid deep in the minds even of its destroyers, and on these foundations it was possible to build it anew and to build it more solidly than it had ever been built before.

## CHAPTER VII

*Of all European countries France was already that in which the Capital had acquired the greatest preponderance over the Provinces and had most absorbed the whole country.*

**I**t is neither their situation nor their size nor their riches, which cause the political preponderance of Capitals over the rest of the country but it is the nature of the Government.

London, which is as populous as a kingdom, has not so far exercised a sovereign influence over the destiny of Great Britain.

No citizen of the United States imagines that the people of New York can decide the fate of the American Union. Nay more, no one even in the State of New York fancies that the individual will of that town can by itself control national affairs. And yet New York contains to-day as many inhabitants as Paris contained at the time of the outbreak of the Revolution.

Paris itself in the epoch of the religious wars was, as compared with the rest of the kingdom, as populous as it was in 1789; nevertheless it was not then able to decide anything. At the time of the Fronde Paris was still nothing but the largest town in France. In 1789 it was already France itself.

In 1740 Montesquieu wrote to one of his friends—'There is in France only Paris and the distant provinces, because Paris has not yet had time to swallow them.' In 1750 the Marquis de Mirabeau, a man of fantastic but sometimes profound intelligence, said of Paris without naming it—'Capitals are necessary; but, if the head becomes too swollen, the body becomes apopleptic and the whole perishes. What will happen then, if, in abandoning the provinces

to a kind of direct dependence and only regarding their inhabitants as subjects, so to speak, of an inferior rank—what will happen if no means of consideration, no career for ambition is left open to the Provincials, and all talent is drawn to Paris.’ He calls this a kind of silent revolution, which robs the provinces of their leaders, their men of affairs, their men of intelligence.

The reader who has read attentively the preceding chapters knows already the causes of this phenomenon; it would be an abuse of his patience here to indicate them anew.

This revolution did not escape the eyes of the government, but it was only struck by its most material form—the growth of the city. It saw Paris expanding daily, and it was afraid that it might become difficult to administer well such a large city. Many ordinances of our kings, chiefly in the seventeenth and eighteenth centuries, had as their object the stoppage of this growth. These princes increasingly concentrated in Paris or at its gates all the public life of France, and yet they wished that Paris should remain a small town. The building of new houses was forbidden, or else they had to be built in the most costly manner and on the most unattractive sites indicated in advance. Each of these ordinances declares, it is true, that notwithstanding former ordinances Paris has continued to expand. Six times during his reign Louis XIV in the plenitude of his power tried to check the growth of Paris and failed; the town continued to grow despite the edicts. But its preponderance spread still more rapidly than the circuit of its walls; this was rendered certain not so much by that which occurred within their enclosure, as by that which happened without. During the same period in fact local liberties continued to disappear; everywhere symptoms of an independent life ceased; the peculiar features of the different provinces became confused; the last trace of the old public life was destroyed. It was not however that the nation sank into

a state of languor; movement was on the contrary everywhere, but the sole source of energy was Paris. I will cite only one instance of this out of a thousand. I find in the reports made to the minister on the state of the book-trade that in the sixteenth and at the beginning of the seventeenth century there were considerable printing-presses in provincial towns, which now have no more printers, or else the printers have nothing to do. It cannot however be doubted that infinitely more writings of every kind were published at the end of the eighteenth than in the sixteenth century, but the movement of thought now sprang from the centre alone. Paris had succeeded in devouring the provinces. At the moment of the outbreak of the French Revolution, this first revolution was completely accomplished.

The celebrated traveller Arthur Young left Paris shortly after the meeting of the States-General and a few days before the taking of the Bastille; the contrast, which he perceived between that which he had just seen within Paris and that which he found outside it, struck him with surprise. In Paris all was activity and noise; every moment produced a political pamphlet; as many as 92 were published in a week. 'Never,' said he, 'have I seen such a mania for publishing even in London.' Outside Paris everything seemed to him inert and silent; few pamphlets, no newspapers, were printed. The provinces however were stirred and ready to be agitated though immobile; if the citizens sometimes assembled, it was to hear the news expected from Paris. In every town Young asked the inhabitants what they wanted to do. 'The answer,' said he, 'was always the same. We are only a provincial town, we must see what Paris will do.' 'These people,' he adds, 'do not care even to have an opinion, until they know the opinion of Paris.'

Astonishment was caused by the surprising facility with which the Constituent Assembly was able to destroy at a single stroke all the ancient provinces of France, some of

which were more ancient than the monarchy, and to divide the kingdom methodically into eighty-three distinct parts, just as if it were dealing with the virgin soil of the new world. Nothing caused more surprise or even terror to the rest of Europe, which was not prepared for such a sight. 'This is the first time,' said Burke, 'that we have seen men tear their native land in pieces in so barbarous a manner.' It looked as though living bodies were being torn asunder; in fact it was only corpses being dismembered. While Paris thus succeeded in acquiring omnipotence without, at the same time within itself was accomplished another change, which no less deserves the attention of history. Instead of being only a town of exchange, of business, of consumption, and of pleasure, Paris became a manufacturing town; a second fact, which gave to the first a new and more formidable character.

This change was rooted in a distant past; it seems that from the Middle Ages onwards Paris was already the most industrial as well as the largest town of the kingdom. This becomes evident as we approach modern times. Just as all administrative affairs were drawn to Paris, so industrial affairs flocked thither also. As Paris became more and more the model and the arbiter of taste, the only centre of power and the arts, the principal focus of the national activity, so also the more did the industrial life of the nation withdraw and concentrate there.

Although the statistical documents of the 'old order' are most often little worthy of credence, I think it may be stated without fear that during the sixty years which preceded the French Revolution the number of workmen at Paris more than doubled, whilst in the same period the general population of the town scarcely increased by one-third.

Apart from the general causes, which I have just mentioned, there were some very special causes which drew the workmen from all parts of France to Paris and gradually concentrated them in certain quarters, which they ended by almost occupying entirely. The hindrances, which the

fiscal legislation of the time imposed on industry, had been rendered less burdensome in Paris than anywhere else in France; nowhere was the yoke of the guilds more easily escaped. Certain *faubourgs*, such as the faubourg St. Antoine and that of the Temple specially enjoyed in this matter very great privileges. Louis XVI extended very much further these privileges of the faubourg St. Antoine, and worked his hardest to amass there an immense working population, 'wishing,' said this unfortunate prince in one of his edicts, 'to give to the workmen of the faubourg St. Antoine a new mark of our protection and to free them from the burdens which are prejudicial both to their interests and to the freedom of trade.'

The number of workshops, factories, and blast-furnaces, had shortly before the Revolution increased to such an extent in Paris that the government finally became alarmed. The sight of this increase filled it with a number of very imaginary fears. For instance a decree of Council in 1782 stated that 'the King, apprehending that the rapid multiplication of factories may cause a consumption of wood prejudicial to the supply of the city, forbids henceforth the erection of such establishments within a radius of fifteen leagues round Paris.' The real danger that might arise from such an aggregation was not a source of anxiety to anyone.

Thus Paris had become the master of France, and the army, that was to make itself mistress of Paris, was already assembling.

It is generally, I think, agreed to-day that the administrative centralization and the omnipotence of Paris have largely contributed to the fall of all the governments which have succeeded one another during the last forty years. I shall show without difficulty that the same fact largely contributed to the sudden and violent ruin of the old monarchy. It ought to be regarded as one of the principal causes of this First Revolution, which has engendered all the others.



## CHAPTER VIII

*That France was the country in which men had become most alike.*

The attentive student of pre-Revolutionary France finds in it two very contrary sides. On the one hand all the men who lived in it, especially those who formed the middle and upper ranks of society, who alone made themselves seen, were all exactly like each other. On the other hand, in the midst of this uniform crowd there were still an extraordinary number of small barriers which divided it into a great number of sections, and within each of these small enclosures there was seen so to speak a distinct society, which was only concerned with its own particular interests, and took no part in the life of the whole.

When I think of this almost infinite subdivision, and the fact that nowhere were citizens less prepared to act in common and to render to each other a mutual support in time of crisis, I understand how a great revolution could in a moment overthrow such a society from top to bottom. Imagine all these small barriers thrown down by this great earthquake itself; there will immediately arise a social body more compact and more homogeneous than perhaps any hitherto seen in the world.

I have already pointed out how almost throughout the whole kingdom the special life of the different provinces had long since perished; that had helped very much to make all Frenchmen very like each other. Despite the diversities which still existed, the unity of the nation was already clear; it is disclosed by the uniformity of the legislation. The farther down the eighteenth century we

come there is a corresponding increase in the number of edicts, royal declarations, decrees of Council, which apply the same rules in the same manner to all parts of the kingdom. It was not only the governing class but also the governed, who conceived the idea of a legislation quite general and quite uniform, the same everywhere, the same for all; this idea is revealed in all the successive projects of reform that appeared during the thirty years which preceded the outbreak of the Revolution. Two centuries before, the very material for such a conception would, so to speak, have been wanting.

Not only did the provinces resemble each other more and more, but in each province the men of different classes, at least all those who ranked above the common people, became more and more alike, despite the differences of rank.

Nothing shows this more clearly than the reading of the 'instructions' presented by the different orders in 1789. Those who drew them up differed profoundly in their interests, but in everything else they showed themselves alike.

A study of the proceedings in the first States-General would present a very different view; the middle classes and the nobles had then more common interests and more common business; they showed much less reciprocal animosity, but they still appeared to belong to two distinct races.

Time, which had maintained and in many respects aggravated the privileges, which separated these two classes of men, had worked in a remarkable way to make them in everything else alike.

For several centuries the French nobles had constantly grown poorer. 'Notwithstanding its privileges the nobility is ruined and decays day by day, and the third estate gets possession of its wealth,' writes sadly a nobleman in 1755. Yet the laws which protected the property of the nobles remained always the same; nothing in their economic

position seemed to be different. None the less they everywhere grew poorer in the exact proportion in which they lost their power.

We might say that in human institutions as in man himself, independently of the organs which are seen to fulfil the different functions of existence, there is a central and invisible force which is the very principle of life. In vain do the organs seem to act as before, everything languishes at once and dies when this vivifying flame is extinguished. The French nobles had still entails—Burke even remarks that in his day entails were frequent and more strict in France than in England—the right of primogeniture, perpetual dues from land and all the so-called beneficial rights. The nobles had been excused from the onerous obligation of making war at their expense, and yet they had retained their immunity from taxation—a greatly increased charge—in short, they had kept the immunity while getting rid of the burden. They enjoyed besides several other pecuniary advantages which their ancestors had never enjoyed. In spite of this they gradually got poorer in the same proportion as they lost the exercise and spirit of government. It is indeed to this gradual impoverishment that in part we must attribute that great subdivision of landed property on which we have already commented. The nobleman had sold his land piecemeal to the peasants, only reserving to himself seignorial dues which retained for him the appearance rather than the reality of his ancient position. Several provinces of France, e.g. the Limousin, of which Turgot speaks, were populated by a small poor nobility, who hardly possessed any land and lived almost entirely on seignorial dues and quit-rents. *foncière*.

'In this généralité,' says an Intendant at the beginning of the century, 'the number of noble families amounts still to several thousands, but there are not fifteen which have a rent-roll of twenty thousand livres.' I read in a direction which another Intendant (that of Franche-Comté)

addressed to his successor in 1750—'The nobles of this district are quite good but very poor, and they are as proud as they are poor. Their position has very much declined, compared with what it once was. It is not bad policy to keep them in this state of poverty, and make it necessary for them to serve and have need of us. It forms,' he adds, 'a confraternity to which only those are admitted who can prove four quarterings. This confraternity is not patented but only tolerated, and it only meets once a year in the presence of the Intendant. After having dined and heard mass together, these nobles return each to his own home, some on their miserable hacks, others on foot. You will see how comic the gathering is.'

This gradual impoverishment of the nobles was seen more or less not only in France but in all parts of the continent where the feudal system, as in France, disappeared without being replaced by a new form of aristocracy. Among the German peoples, who bordered on the Rhine, this decay was everywhere visible and much noticed. The contrary was only met with in England. In England the old noble families which still existed had not only preserved, but also had largely increased their wealth; they had remained the first in riches as also in power. The new families which had risen by their side had only imitated but not outstripped their wealth.

In France the non-nobles alone seemed to inherit all the wealth that the nobles lost; it might be said that they grew fat on their substance. Yet no law prevented the middle-class man from ruining himself, or helped him to get rich; nevertheless he constantly got richer; in many cases he had become as rich and sometimes richer than the nobleman. Nay more, his wealth was often of the same kind; although generally speaking he lived in the town, he was often a land-owner in the country; sometimes even he acquired seignorial estates.

Education and style of living had already produced a thousand other resemblances between these two classes

of men. The middle-class man had as much enlightenment as the noble, and, it is to be noticed, his enlightenment had been drawn from the very same centre. The same light illuminated them both. Of both the education had been equally theoretical and literary; Paris, which had more and more become the sole instructor of France, finally gave to all minds one common form and attitude.

At the end of the eighteenth century it was no doubt still possible to perceive a difference between the manners of the nobility and those of the middle class; for there is nothing, which becomes the same more slowly than that surface of behaviour which we call 'manners.' But fundamentally all men of rank above the common people were alike; they had the same ideas, the same habits, they followed the same tastes, they indulged in the same pleasures, they read the same books, they spoke the same language. They only differed in their rights.

I doubt whether this was the case in the same degree anywhere else, even in England, where the different classes, though solidly united by common interests, often still differed in mentality and manners; for political liberty, which possesses the admirable power of forming between all citizens necessary connexions and mutual ties of dependence, does not always for that reason render them alike. It is the government of one single man which in the long run has always the inevitable effect of rendering men alike each other, and mutually indifferent to each other's fate.

## CHAPTER IX

*How Men so similar were more separated than they had ever been into small groups foreign and indifferent to each other.*

Let us consider now the other side of the picture, and see how these same Frenchmen, who had amongst themselves so many features of resemblance, were nevertheless more isolated from each other than had perhaps ever been seen elsewhere and than ever had formerly been seen in France itself.

It is very probable that at the time of the establishment of the feudal system in Europe what has since been called the 'nobility' did not immediately form a caste, but was originally composed of all the chief men of the nation and was thus at first only an aristocracy. That is the question I have no desire to discuss here; it is sufficient to remark that in the Middle Ages the nobility had become a caste, that is to say, its distinctive mark was birth.

It well preserved that characteristic feature of aristocracy of being a governing body of citizens; but it was birth alone that decided who should be at the head of this body. Everyone not born noble was outside of this exclusive and close class, and occupied a more or less elevated but always a subordinate position in the State.

Wherever the feudal system established itself on the continent of Europe it ended in caste; in England alone it returned to aristocracy. I have always been astonished that a fact, which distinguishes England from all modern nations and which can alone explain the peculiarities of its laws, its spirit, and its history, has not attracted still more than it has done the attention of philosophers and statesmen, and that habit has finally made it as it

were invisible to the English themselves. The truth has been often half perceived, half described; never, I think, has the vision of the truth been quite full or quite distinct. Montesquieu visiting Great Britain in 1739 wrote correctly — 'I am here in a country which hardly resembles the rest of Europe,' but he adds nothing more.

It was far less its Parliament, its liberty, its publicity, its jury, which in fact rendered the England of that date so unlike the rest of Europe than a feature still more exclusive and more powerful. England was the only country in which the system of caste had been not changed but effectively destroyed. The nobles and the middle classes in England followed together the same courses of business, entered the same professions, and, what is much more significant, inter-married. The daughter of the greatest noble in England could already marry without shame a 'new' man.

If you wish to know whether caste, its ideas, its habits, and the barriers, which it creates among a people, are definitely destroyed, look at the marriages. There alone you will find the decisive feature that you want. Even in our own days in France after sixty years of democracy you will often seek for it in vain. The old and the new families, which seem blended in every other respect in France, still avoid as far as possible intermingling in marriage.

It has often been remarked that the English nobility has been more prudent, more clever, more accessible than any other. The truth is that for a long time past properly speaking there has no longer existed a nobility in England, if the word is taken in its old and circumscribed sense that it has everywhere else retained.

This singular revolution is lost in the darkness of past ages, but there remains still a living witness, namely, idiom. For several centuries past the word 'gentleman' has entirely changed its meaning in England, and the word 'roturier' no longer exists. It would already have been

impossible to translate literally into English that line of 'Tartuffe,' when Molière wrote it in 1664—

*Et tel que l'on le voit, il est bon gentilhomme.*

Should you wish to make a still further application of the science of languages to the science of history, follow down time and space the destiny of this word 'gentleman,' which is the child of our word 'gentilhomme'; you will see its meaning widen in England in proportion as classes draw nearer and mingle with each other. In each century it is applied to men placed ever a little lower in the social scale. With the English it passes finally to America. In America it is used to designate all citizens without distinction. Its history is that of the democracy itself.

In France the word 'gentilhomme' has always been strictly confined to its original sense; since the Revolution the word has almost fallen out of use, but its meaning has never altered. The word has always been preserved intact to design the members of the caste, because the caste itself has always been preserved, as separate from all the other classes as it has ever been.

But I go very much further and maintain that this caste had become very much more separated than it was at the time when the word originated, and that a movement took place amongst us exactly the opposite of that which took place in England.

If the middle-class man and the noble had become more alike, they were at the same time increasingly isolated from one another: two things so little to be confused that the one instead of mitigating often aggravates the other.

In the Middle Ages and so long as the feudal system preserved its ascendancy, all those who held their lands from the lord (those who in the feudal language were properly called vassals) and many of them were not nobles, were constantly associated with the lord in the government of the 'seigneurie'; it was even the principal condition of their tenure. Not only were they bound to follow the lord



to war, but they were bound by virtue of their grant from him to spend a certain period of the year at his court, namely to aid him in administering justice and in governing the inhabitants. The court of the lord was the great machine of the feudal government; it was to be found in all the old law-systems of Europe, and I have still discovered in our own days very visible traces of it in several parts of Germany. The learned feudalist Edme de Fréminville, who thirty years before the French Revolution took it into his head to write a big book on feudal rights and on the repair of manor rolls, informs us that he has seen in the titles of many manors that the vassals were obliged to attend every fortnight at the court of the lord, where being assembled they judged conjointly with the lord, or his ordinary judge the assizes and the disputes that had occurred between the inhabitants. He adds that he has found sometimes eighty, one hundred and fifty, even two hundred of these vassals in one manor, a great number of whom were 'roturiers.' I have quoted this not as a proof (there are a thousand other proofs) but as an example of the manner in which originally and for a long period the rural classes had dealings with the nobility and joined with them each day in the conduct of the same affairs. What the court of the lord did for the small rural proprietors, the provincial estates, and later on the States-General did for the inhabitants of the towns.

It is impossible to study the information left us about the States-General of the fourteenth century and still more the provincial estates of the same period without being astonished at the place occupied by the third estate in these assemblies and at the power which it exercised.

As a man the townsman of the fourteenth century was without doubt very inferior to the townsman of the eighteenth century; but the townspeople as a body in those days occupied in political society a higher and more assured position. Their right of taking part in the government was undisputed; the part which they played in the

political assemblies was always considerable and often preponderant. The other classes every day felt the need of reckoning with them.

But the most striking fact is that the nobility and the third estate in those days found it much easier to administer affairs in common, or to resist together than they have ever done since. This is clearly seen not only in the States-General of the fourteenth century, of which several had an irregular and revolutionary character given them by the misfortunes of the age, but in the provincial estates of the same period, where nothing suggests that affairs did not follow the regular, habitual course. Thus in Auvergne we see the three orders undertake in common the most important measures and superintend their execution by commissioners chosen from all three. The same phenomenon is found at the same period in Champagne. Everyone knows that celebrated act by which the nobles and the inhabitants of a great number of towns formed an association at the beginning of the same century to defend the liberties of the nation and the privileges of their provinces against attacks from the royal power. At that time many of the episodes of our history look as if they were drawn from the history of England. Such events never occurred in the following centuries.

The fact is that, as the government of the lordship became disorganized, as the meetings of the States-General became rarer or ceased altogether, as the general liberties perished dragging with them in their ruin local liberties, the townsman and the gentleman ceased to have contact in public life. They no longer felt the need of approaching and understanding each other. Every day they became more independent and more unknown to each other. In the eighteenth century this revolution was complete; these two men never met except by mere chance in private life. The two classes were not only rivals, they were enemies.

What seems to be a feature exclusive to France was that,

at the very time when the order of the nobility lost its political powers, the individual noble acquired several privileges which he had never before possessed or else increased those which he already possessed. It might be said that the members enriched themselves from the spoil of the body. The nobility had less and less the right to command, but the nobles have more and more the exclusive privilege of being the first servants of the master; it was more easy for a non-noble to become an officer under Louis XIV than under Louis XVI. This often occurred in Prussia, when such an event would have been unprecedented in France. Every one of these privileges, when once obtained, belonged to the blood; it was inseparable from it. The more this nobility ceased to be an aristocracy, the more it seemed to become a caste.

Let us take the most odious of all these privileges, that of exemption from taxation; it is easy to see that from the fifteenth century right down to the Revolution this privilege never ceased to grow. It grew by the rapid increase in the public charges. When a mere 1,200,000 livres of *taille* was levied under Charles VII the privilege of being exempt from it was small; when 80 millions were levied under Louis XVI, the privilege was very great. When the *taille* was the only tax levied on the non-noble population, the exemption of the noble was hardly noticed; but when taxes of this sort were multiplied under a thousand names and a thousand forms, when four other taxes had been assimilated to the *taille*; when burdens unknown to the Middle Ages, such as the forced labour applied by the Crown to all public works and services, the militia, etc., had been added to the *taille* and its accessories and levied with the same inequality, the exemption of the noble appeared immense. The exemption, though great, was, it is true, more apparent than real; for the noble was often hit in the person of his tenant by the tax which he himself escaped; but in this matter the inequality, which was seen, hurt more than that which was felt.

Louis XIV, pressed by the financial necessities which overwhelmed him at the end of his reign, had established two universal taxes the *Capitation* and the *Vingtième*. But, as if exemption from taxation had been in itself a privilege so venerable that it was necessary to hallow it in the very act by which a blow was struck at it, care was taken to render the collection different when the tax was universal. For the one class it was degrading and harsh, for the other indulgent and honourable.

Although inequality in the matter of taxation obtained over all the continent of Europe, there were very few countries in which it had become so patent and so constantly felt as in France. In a great part of Germany the most of the taxes were indirect. In the matter of direct taxation itself the privilege of the noble consisted often in a smaller contribution to a common burden. There were besides certain taxes which only fell on the nobility and were intended to replace the free military service that was no longer exacted.

Now of all the methods of marking off men and distinguishing classes inequality of taxation is the most deadly and the most certain to add isolation to inequality and in a sense to render both incurable. For, look at the effects; when the noble and the non-noble are not subjected to the payment of the same tax, each year the assessment and the levy of the tax delimits anew in clear and precise fashion the separation of classes. Every year each member of the privileged feels a real and pressing interest not to let himself be confounded with the mass, and makes a fresh effort to stand apart from it.

Now there is scarcely any public matter which does not begin or else end in a tax; from the moment when the two classes are not equally subjected to it, they have scarcely any reason for further deliberating together, scarcely any cause to feel common needs and sentiments. It is no longer difficult to keep them separate; the opportunity and the desire to act together have so to speak been taken from them.

Burke, in the flattering picture which he drew of the old constitution of France laid stress as a point in favour of the institution of the French nobility, on the ease with which non-nobles obtained ennoblement by procuring for themselves some office; this appeared to him to have some analogy to the open aristocracy of England. Louis XI had indeed multiplied ennoblements; it was a means of degrading the nobility; his successors gave them in profusion in order to raise money. Necker informs us that in his time the number of offices, which procured nobility, was as many as four thousand. Nothing like it was to be seen in any part of Europe; but the analogy which Burke sought to establish between France and England was only the more false. .

If the middle classes of England, far from making war on the aristocracy, have remained intimately united to it, this has not been specially due to the fact that the English aristocracy was open but rather due to the fact, as has been said, that its form was indistinct and its limit unknown—less because it was possible to enter than because you never knew when you had got there; so that everyone, who drew near, might think that he formed part of it, might associate himself with its rule, and draw some distinction or some profit from its power.

But the barrier which separated the nobility of France from the other classes, though very easily crossed, was always fixed and visible; striking and odious marks made it easily recognized by him who remained without. Once a man had crossed the barrier he was separated from all those, whom he had just left, by privileges which were to them burdensome and humiliating.

The system of ennoblements, far from diminishing the hatred of the non-noble for the noble, on the contrary immeasurably increased it; the hatred was embittered by all the envy, which the new noble inspired in his former equals. That was why the third estate in its grievances always displayed more irritation against

the newly-ennobled than against the old nobility, and, far from demanding that the gate which led out of the non-noble class should be widened, constantly demanded that it should be narrowed.

At no period of our history had nobility been so easily acquired as in '89, yet never were noble and non-noble so completely separated from one another. Not only did the nobles refuse to admit into their electoral colleges anything that suggested middle-class blood, but the middle-class people with the same assiduity rejected all those who had a mere appearance of noble blood. In certain provinces the newly-ennobled were rejected on the one side because they were not thought sufficiently noble and on the other side because they were already too much so. This happened, it was said, to the celebrated Lavoisier.

Now if, leaving on one side the nobility, we consider this middle class, we see something very similar; the middle class was almost as much separated from the common people as the noble was from the middle class.

In the 'old order' almost all the middle class lived in the towns. Two special causes had produced this result—the privileges of the nobles and the *taille*. The lord who resided on his estates generally showed a familiar heartiness towards his peasants, but his insolence towards his middle-class neighbours hardly knew any bounds. It had continuously increased with the diminution of his political power and for this very reason; for on the one side, as he had ceased to rule, it was no longer his interest to show consideration towards those who could assist him in this task, and on the other side, as has often been remarked, he loved to console himself for the loss of his real power by the immoderate use of his apparent rights. Even his absence from his estates, instead of solacing his neighbours, increased their annoyance. Absenteeism did not even serve that purpose; for privileges exercised by a deputy were only the more insufferable.

Nevertheless I think that perhaps the *taille* and the taxes assimilated to it were more effective causes.

I could explain, I think, and in very few words why the *taille* and its accessories weighed far more heavily on the rural districts than on the towns; but that will perhaps appear unnecessary to the reader. Suffice it then to say that the middle classes assembled in the towns had a thousand means of lessening the weight of the *taille* and often of avoiding it altogether in ways to which no one singly would have had access, if he had remained in the country. Thus they escaped especially the obligation of collecting the *taille*—a burden which they feared still more than the obligation of paying it and with good reason; for there was never in the 'old order,' nor even I think in any order of society, a worse position than that of the parish collector of the *taille*. I shall have occasion to show this later on. No one however in the village except the nobles could escape from this charge; rather than undergo it the rich middle-class man let his property and withdrew to the neighbouring town. Turgot is in agreement with all the secret documents which I have had occasion to consult, when he tells us that 'the collection of the *taille* transforms into inhabitants of the towns almost all the middle-class rural proprietors.' This was, we may remark in passing, one of the reasons which made France more full of towns and especially of small towns than most of the other countries of Europe.

Thus domiciled within the walls of a town, the rich middle-class man soon lost the taste and spirit for country life; he became a complete stranger to the work and the business of those of his equals who had remained behind. His life now had only one ambition so to speak; he aspired to become a public official in his adopted town.

It is a great mistake to think that the passion of almost all Frenchmen and in particular of Frenchmen of the middle class in our own day for office originated at the Revolution; that passion was born several centuries

earlier and has never since ceased to grow, thanks to the thousand new sources of nutriment with which it has been carefully supplied. Places under the 'old order' did not always resemble those of our own day, but, I think, they were still more numerous; the number of small places was almost unlimited. In the period 1693 to 1709 alone it is calculated that there were forty thousand places created, almost all within the reach of members of the lower-middle class. In a provincial town of moderate size in 1750 I have counted as many as one hundred and nine persons engaged in the administration of justice and one hundred and twenty-six persons whose duty it was to see the judgments of the former executed—all inhabitants of the town. Their keenness to fill these places was really unparalleled. As soon as one of them realized himself as the possessor of a small capital, instead of employing it in trade, he used it immediately to buy an office. This miserable ambition has done more injury to the progress of agriculture and of trade in France than the guilds or even the *taille*. When there were no more offices to fill, the imagination of office-seekers applying itself to the work very soon invented new offices. A sieur Lamberville published a Memoir to prove that it was altogether in accordance with the public interest to create inspectors for a certain industry, and he ended by offering himself for the position. Which of us has not known a Lamberville? A man of some education and some little means did not think it seemly to die without having been a public official.

'Every man according to his rank,' said a contemporary, 'wishes to be something by appointment of the king.'

The greatest difference seen in this matter between the times of which I speak and our own times is that then the government sold the places, whilst to-day it gives them; to acquire a place a man no longer pays down his money; he goes one better, he sells himself.

Separated from the peasants by the difference of domicile



and still more by the kind of life, the middle-class man was most often also separated by interest. The privilege of the nobles in the matter of taxation was with much justice complained of; but what about the middle class? The offices, which exempted them in whole or in part from the public burdens, could be counted by the thousand; one gave exemption from the militia, another from forced labour, another from the *taille*. Where is the parish, said a writer of the time, which does not count within itself, apart from the nobles and ecclesiastics, several inhabitants who have procured for themselves by office or commission an exemption from taxation? ~~One of the~~ reasons, which caused from time to time the abolition of a certain number of offices earmarked for the middle class, was the diminution of receipts caused by the exemption of so many individuals from the *taille*. I have no doubt that the number of people exempted was as great and often greater among the middle class than among the nobles.

These miserable privileges filled with envy those who were deprived of them, and filled those who possessed them with the most selfish pride. There was nothing more plain during the whole of the eighteenth century than the hostility of the middle classes of the towns to the peasants of their neighbourhood, and the jealousy of the neighbourhood towards the town. 'Every town,' said Turgot, 'wrapped up in its own particular interest is ready to sacrifice the country and the villages of its district.' 'You have often been obliged,' said he elsewhere speaking to his subdelegates, 'to repress the continuous encroachment, which characterizes the conduct of the towns towards the country and the villages of their district.'

Even the common people who lived with the middle class within the town became estranged and almost hostile to it. Most of the local charges which they levied were contrived in such a way as to fall specially on the lowest classes. I have more than once verified what Turgot says in another part of his works that the middle class of the

towns had found means of regulating the *octrois* in such a manner as not to press on itself.

But what was quite clear in all the acts of the middle class was the fear of being confused with the common people, and the passionate desire of escaping by all means from its control.

'If it were His Majesty's pleasure,' said the burgesses of a town in a memorial to the Controller-General, 'that the place of mayor should once more become elective, it would be well to oblige the electors only to choose amongst the principal notables or even amongst the magistrates.'

We have seen how it was the policy of our kings to remove one after another from the people of the towns the exercise of their political rights. From Louis XI to Louis XV all their legislation reveals this idea. Often the middle classes of the towns associated themselves with this policy, sometimes they suggested it.

At the time of the municipal reform of 1764 an Intendant consulted the municipal officers of a small town on the question as to whether the artisans and other mean people ought to retain the right of electing the magistrates. These officers replied that in truth the people had never abused this right and that it would doubtless be gratifying to them to retain the solace of choosing those who were to rule them, but that for the maintenance of good order and the public tranquillity it would be better to rely for this purpose on the assembly of notables. The Subdelegate on his side reported that he had assembled at his house in secret conclave the 'six best citizens of the town.' These six best citizens were unanimously of opinion that the best course would be to entrust the election not even to the assembly of notables, as the municipal officers had proposed, but to a certain number of deputies chosen from the different bodies of which this assembly was composed. The Subdelegate, more favourable to the liberties of the common people than these middle-class people, while making known their opinion, added that it was very hard

on these artisans to pay, without being able to control the objects of expenditure, the sums imposed upon them by their fellow-citizens, who were perhaps by reason of their exemption from taxation the least interested in the question.

But let us finish the picture; let us now consider the middle class by itself as distinct from the common people, just as we have already considered the nobles as distinct from the middle class. In this small part of the nation, when set apart from the rest, we are struck by its infinite divisions. The French nation was seemingly like those pretended elementary bodies in which modern chemistry, the closer it studies them, finds the more, new and separable particles. I have found no less than thirty-six different bodies, amongst the notables of a small town. These different bodies, though very small, laboured incessantly to make themselves smaller; they were constantly trying to purge themselves of the heterogeneous particles they might still contain, and so reduce themselves to the simple elements. Some of them were reduced by this refinement of labour to three or four members. But their personality only became the more active and their humour more quarrelsome. They were all separated from each other by some petty privileges, the least honourable of which were still marks of honour. Between them there were eternal struggles about precedence. The Intendant and the courts were made dizzy by the noise of their quarrels. 'It has just been decided that holy water shall be given to the magistrates before the corporation; the Parlement hesitated, but the King called the matter up to the Council and decided it himself. It is high time; this matter has caused a regular ferment throughout the town.' If one body is given precedence over another in the general assembly of the notables the latter ceases to put in an appearance; it renounces any share in public business rather than see, so it says, its dignity lowered. The body of periwig-makers of the town of La Flèche decided that it would testify

in this manner its just indignation caused by the precedence given to the bakers. Some notables in one town obstinately refused to fill their office, 'because,' said the Intendant, 'some artisans have been introduced into the assembly with whom the principal burgesses feel it an indignity to associate.' . . . 'If the place of sheriff,' said the Intendant of another province, 'is given to a notary, this will disgust the other notables, the notaries here being people of no birth, who do not belong to the families of the notables and have all been clerks.' The six best citizens of whom I have already spoken and who decided so cheerfully that the common people ought to be deprived of their political rights found themselves in a strange perplexity, when it was a question of examining who the notables were to be, and what order of precedence ought to be established amongst them. In such a position they did nothing more than modestly express their doubts; 'they were afraid,' they said, 'to cause to any of their fellow-citizens too lively a pain.'

The vanity natural to Frenchmen was strengthened and embittered by the constant collision of *amour-propre* between these small bodies, and the legitimate pride of the citizen was forgotten. In the sixteenth century most of the corporations, of which I have just spoken, already existed; but their members, after having regulated among themselves the affairs of their own associations, constantly met with all the other inhabitants to transact with them the general business of the city. In the eighteenth century these bodies had almost completely retired upon themselves, for municipal activities had become rare, and they were all exercised by deputies. Each of these small societies then only lived for itself, was only concerned with itself, had no affairs but those which touched itself.

Our ancestors had not got the word 'Individualism'—a word which we have coined for our own use, because in fact in their time there was no individual who did not belong to a group, no one who could look on himself as

absolutely alone; but each of the thousand little groups, of which French society was composed, thought only of itself. There was, if I may so express myself, a kind of collective individualism which prepared minds for the real individualism which we know.

What is still more strange is that all these men, who kept themselves so apart from each other, had become so much alike that it would have been impossible to distinguish them if their places had been changed. Nay more, if a man had been able to sound their innermost spirit, he would have discovered that these tiny barriers, which divided people so much alike, appeared to the men themselves as contrary alike to the public interest and to good sense and that in theory they already adored unity. Each of them stuck to his own particular condition simply because every one else was particularized by his condition; but they were all ready to be confounded in one mass, provided that no one had any separate position nor rose superior to the common level.

## CHAPTER X

*How the destruction of Political Liberty and the separation of classes caused almost all the diseases of which the 'Old Order' died.*

Of all the diseases, which attacked the constitution of the 'old order' and condemned it to death, I have just described the most fatal. I must return once more to the source of so dangerous and so strange an evil, and show how many other evils sprang from it also.

If the English from the time of the Middle Ages had like the French entirely lost political liberty and all the local franchises which cannot for long exist without it, it is very probable that the different classes, of which their aristocracy was composed, would have fallen severally apart, as happened in France and more or less in the rest of the continent, and that all these classes would have separated themselves from the people. But freedom forced them always to keep within each other's reach in order to be able to act in concert, if need arose.

It is curious to note how the English nobles, pushed by their very ambition, have known how, when it appeared necessary, to mingle on familiar terms with their inferiors and to pretend to regard them as their equals. Arthur Young, whom I have already quoted, and whose book is one of the most instructive works existing on 'old' France, relates that finding himself one day at the country house of the Duc de Liancourt he expressed a wish to interrogate some of the ablest and richest farmers of the neighbourhood. The Duke instructed his agent to introduce them to him. On this the Englishman makes the following remark:—  
'At an English nobleman's there would have been three or

four farmers asked to meet me, who would have dined with the family amongst the ladies of the first rank. I have seen this at least one hundred times in our islands. It is however a thing that would not be met with in France from Calais to Bayonne.'

Most certainly the English aristocracy was by nature more haughty than that of France and less disposed to mingle on familiar terms with the lower classes, but it was reduced to do so by the necessities of its position. It was prepared to stoop to conquer. For centuries past no other inequalities of taxation have existed in England than those successively introduced in favour of the necessitous classes. Notice to what different ends different political principles can lead peoples so close. In the eighteenth century it was in England the poor man who enjoyed exemption from taxation; in France it was the rich man. In England the aristocracy took upon itself the heaviest public burdens that it might be allowed to govern; in France the nobles retained to the very end exemption from taxation to console them for having lost the right to govern.

In the fourteenth century the maxim 'No taxation without consent,' appeared as firmly fixed in France as in England itself. It was often cited; to contravene it was always regarded as an act of tyranny; to conform to it as a return to law. At this time there were to be found, as I have already said, many analogies between the political institutions of France and England; but then the destinies of the two peoples parted, and became ever more unlike with the passage of time. They resembled two lines which, starting from neighbouring points but at a slightly different angle, the longer they become, the more indefinitely fall apart.

I venture to declare that from the day when the French nation, wearied with the prolonged disorders which had accompanied the captivity of King John and the madness of Charles VI, allowed the king to impose a general tax

without its consent; from the day that the nobles had the meanness to let the third estate be taxed, provided that its own exemption was secured; from that day was sown the germ of almost all the vices and of almost all the abuses which afflicted the 'old order' during the remainder of its life and ended by causing its violent death. I admire the singular sagacity of Commynes when he said: 'Charles VII, who gained this point of imposing the *taille* at his own pleasure without the consent of the estates, put a heavy burden on his own soul and on that of his successors, and inflicted a wound on his kingdom which will bleed for ages.'

Mark how the wound was widened in fact with the passage of time. Follow the act step by step to its consequences.

Forbonnais rightly said in his *Researches on the Finances of France* that in the Middle Ages the kings generally lived on the revenues of their domains and 'as extraordinary needs,' he added, 'were provided for by extraordinary impositions, they fell equally on the clergy, the nobles, and the people.'

Most of the general taxes voted by the three orders during the fourteenth century had in fact this character. Almost all the taxes established in this period were *indirect*, that is to say, they were paid by all consumers without distinction. Sometimes the tax was direct; it fell then not on property but on income. The nobles, the ecclesiastics, and the townspeople were bound to surrender to the king for a year a tenth for example of all their revenues. What I have said about the taxes voted by the States-General must be understood to apply equally to those imposed at the same period by the different provincial estates on their own territories.

It is true that at that time the direct tax known as the *taille* never fell on the noble. The obligation of gratuitous military service gave him exemption from it; but the *taille* as a general tax was then confined in its incidence and belonged rather to the seignorial than the royal power.



When the king undertook for the first time to levy taxes by his own authority, he understood that at the start it was necessary to choose a tax which did not appear directly to hit the nobles; for the latter formed a class that was a rival and a danger to the monarchy and would never have allowed an innovation so prejudicial to themselves; the king therefore made choice of a tax from which they were exempt; he selected the *taille*.

Thus, to all the particular inequalities, which already existed, there was added one more general, which aggravated and supported all the rest. From that time, in proportion as ~~the needs of~~ the public treasury grew with the increase in the functions of the central power, the *taille* was extended and varied; very soon it was decupled, and all the new taxes took the form of *tailles*. Every year then the inequality of taxation separated classes, and isolated men more than they had ever been isolated before. From the moment that taxation had for its object not to reach those most capable of paying it but those least able of protecting themselves, there was bound to follow this monstrous consequence of sparing the rich and burdening the poor. It is confidently stated that Mazarin being in need of money thought of levying a tax on the principal houses of Paris, but that having met with some opposition from interested parties he confined himself to adding the five millions of which he stood in need to the general warrant of the *taille*. His wish had been to tax the most wealthy citizens; he found that he had taxed the most miserable; but the treasury lost nothing thereby.

The produce of taxes so unfairly distributed had limits, and the needs of the princes had none. Yet the kings had not the will either to convoke the Estates to obtain subsidies or to provoke the nobles, by taxing them, to claim the summoning of these assemblies.

Hence arose that portentous and mischievous fecundity of the financial mind, which characterized in such a singular way the administration of the public monies

during the three last centuries of the monarchy. The administrative and financial history of the 'old order' must be studied in detail in order to understand the violent and dishonest practices to which a mild government, where there is no publicity and no control, may be reduced by lack of money, once time has consecrated its power and freed it from the fear of revolution—that last safeguard of peoples.

In these annals at every step we read of royal estates sold and then resumed as unsaleable; of contracts violated, of acquired rights ignored, of the public creditor sacrificed at every crisis, of the public faith constantly violated.

Privileges granted in perpetuity were perpetually resumed. If the vexations caused by a foolish vanity deserved pity, we might feel pity for the lot of those luckless people who secured ennoblement and during the course of the seventeenth and eighteenth centuries were forced from time to time to repurchase these vain honours or these unjust privileges, for which they have already paid several times. For example, Louis XIV annulled all the titles of nobility acquired during the ninety-two years preceding, titles mostly conferred by himself; these titles could only be retained by making a new grant of money, 'all these titles having been obtained by surprise,' said the edict. Louis XV did not fail to imitate the example eighty years later.

The militia man was forbidden to find a substitute from fear, it was said, of raising the price of recruits for the state.

Towns, corporations, hospitals, were compelled to fail in their engagements in order that they might be in a position to lend to the king. Parishes were hindered from undertaking useful works from a fear that by such division of their resources they might be less punctual in the payment of the *taille*.

It is told that M. Orry and M. de Trudaine, respectively controller-general and director-general of public works had formed a plan of replacing forced labour on the roads by a levy in money to be paid by all the inhabitants of each

district for the repair of their roads. The reason, which led these able administrators to give up their plan, is instructive. They were afraid, it is said, that the money having been thus raised, there was nothing to hinder the public treasury from diverting it to its own use in such a way that very soon the rate-payers would have had to support not only the new charge but also the old forced labour. I have no hesitation in saying that no private person would have escaped the clutches of the criminal law, if he had managed his own property as the great king in all his glory managed the property of the state.

If you come across any old institution of the Middle Ages, which has been maintained, while its defects have been aggravated, in defiance of the spirit of the age, or any pernicious novelty, dig to the root of the evil; you will find some financial expedient, which has been turned into an institution. To pay the debts of the moment you will discover new powers created, which were to last for centuries.

One special tax called the due of *franc fief* had been instituted at a very remote date and levied on the non-nobles who were in possession of noble lands. This due created the same distinction between lands that already existed between persons and the one distinction was constantly aggravated by the other. I think perhaps, that the due of *franc fief* has been more instrumental than everything else in keeping separate the non-noble from the noble, because it hindered them from joining in that which most quickly and most thoroughly unites men to each other, namely, landed property. An abyss was thus ever and anon reopened between the noble and the non-noble land-owner, his neighbour. Nothing on the contrary, has more hastened the cohesion of these two classes in England than the abolition since the seventeenth century of all the marks which there distinguished unfree from free tenure.

In the fourteenth century the feudal tax of *franc fief* was light and was only levied at long intervals; but in the

eighteenth century, when the feudal system was almost extinct, it was rigorously exacted every twenty years, and it represented a whole year's income. The son paid it on succeeding to his father. 'This tax,' said the agricultural society of Tours in 1761, 'is infinitely harmful to the progress of agriculture. Of all the taxes laid on the subjects of the king there is certainly none more irritating or burdensome to the country districts.' 'This tax,' said another contemporary, 'which in the beginning was only imposed once in a lifetime has since become by degrees a very cruel impost.' The nobles themselves would have desired its abolition, for it prevented middle-class people from purchasing their lands; but the needs of the treasury demanded its retention and increase.

The Middle Ages have been wrongly accused of all the mischief caused by the industrial corporations. Everything goes to prove that in origin the guilds were only the means of associating together the members of the same calling, and of establishing in the centre of each industry a small free government, whose mission it was at once to assist and to control the workers. It does not appear that Louis IX wished anything more.

It was only at the beginning of the sixteenth century, in the full tide of the Renaissance, that it was thought good for the first time to regard the right to work as a privilege that could be sold by the king. It was only then that each corporation became a small close aristocracy, and those monopolies were finally established, which were so prejudicial to the progress of the arts and so greatly antagonized our ancestors. From the time of Henry III, who generalized if he did not create the mischief, to that of Louis XVI, who extirpated it, the abuses of the guild system *never ceased* to increase and spread at the very time when the progress of society rendered them more insufferable and public reason branded them. Year after year new professions lost their freedom; year after year the privileges of the old guilds were increased. Never was the evil pushed further

than in what are customarily called the splendid years of the reign of Louis XIV, because never had the want of money been greater, nor the resolution to avoid calling in the assent of the nation more firmly fixed. Letronne said with reason, in 1775: 'The state has only established industrial corporations to find in them a source of revenue partly by the warrants which it sells, partly by the new offices which it creates and compels the corporations to buy up. The edict of 1673 pressed to their consequences the principles of Henry III by compelling all the corporations to take out letters of confirmation by paying a sum of money. And all the craftsmen, who were not yet members of a corporation, were forced to join one. This miserable action produced 300,000 livres.'

We have seen how the whole municipal constitutions were overthrown not with any political aim in view, but in the hope of procuring a source of revenue for the Treasury.

This same need of money, coupled with the desire not to demand it from the States-General, gave rise to the venality of offices and became, by degrees, a thing so strange that the like of it had never been seen in the world. It was, thanks to this institution, originating from the fiscal outlook of the government, that the vanity of the third estate was for three centuries kept in play and solely directed towards the acquisition of public offices; this universal passion for place penetrated into the very vitals of the nation, and became the common source of revolutions and slavery.

As the financial embarrassments increased, new offices were created, all rewarded by exemption from taxation or by privileges; and as it was the needs of the Treasury and not the needs of the administration that were the decisive factor, the result was the creation of an almost incredible number of offices entirely useless or harmful. In 1664, at the time of the inquest held by Colbert, it was found that the capital invested in this wretched form of property

amounted to almost 500,000,000 livres. Richelieu, it was said, abolished 100,000 offices, but very soon they were recreated under other names. In return for a little money the state deprived itself of the right to direct, control, restrain its own agents. In this way there was gradually built up an administrative machine so vast, so complicated, so embarrassed and so unproductive that it was finally necessary to leave it, so to speak, idly treading the air and to construct outside it a more simple and more handy instrument of government, which performed in reality those functions which the other officials had merely the appearance of performing.

It is certain that none of these detestable institutions could have lasted for twenty years, if discussion of them had been permitted. None of them could have been established, nor its evils aggravated, if the Estates had been consulted, or if their complaints had been listened to, when by chance they had still been assembled. The few meetings of the States-General summoned in the last centuries never ceased to protest against them. On several occasions these assemblies indicated as the origin of all the abuses, the power which the king had arrogated to himself, of arbitrarily levying taxes, or, to reproduce the very expressions that the energetic language of the fifteenth century used, 'the right of enriching himself from the substance of the people without the consent and deliberation of the three estates.' They did not concern themselves merely with their own rights; they forcibly demanded and often obtained respect for the rights of the provinces and of the towns. At each succeeding session voices were raised within them against the inequality of burdens. The Estates demanded on several occasions the abolition of the system of guilds; with increasing energy they attacked from age to age the sale of offices. 'He who sells office sells justice—an infamous act,' they say.

When the sale of office had become an established custom, they continued to complain of the creation of offices as an

abuse. They raised their voice, but always in vain, against so many useless places and dangerous privileges. It was against them and no others that these institutions had been established. They had had their origin in the wish not to assemble the Estates and in the need to disguise from French eyes the taxation, which the government did not dare to show in its true features.

It is to be noted that the best kings as well as the worst had recourse to these practices. It was Louis XII who first introduced the sale of offices; it was Henry IV who sold the reversion of them; so much stronger were the vices of the system than the virtues of the men who operated it.

This same desire of escaping from the control of the Estates caused the Parlements to be entrusted with the greater part of their political functions; the result was the entanglement of the judicial with the governmental power in a fashion very prejudicial to the good ordering of business. The appearance of some new guarantees was necessary to replace those which had been removed; for, though the French endure patiently enough absolute power, so long as it is not oppressive, they never like the sight of it, and it is always politic to raise before its eyes some appearance of a barrier which, though it cannot stop, at any rate, conceals it a little.

Finally, it was this desire of hindering the nation, whose money was demanded, from reclaiming its liberty, that caused the unceasing vigilance to keep classes apart, in order that they might not be able to concert a common resistance, and that the government might never find itself at one time at grips with more than a very small number of men separate from all the rest. In all the course of this long history, in which there have appeared successively so many princes, remarkable some for their spirit, some for their ability, almost all for their courage, not a single one made any effort to bring together and to unite classes otherwise than by reducing them all to a common dependence. I am wrong; one only wished this and even applied

himself to it with his whole heart, and he (how inscrutable are the judgments of God) was Louis XVI.

The separation of classes was the crime of the old monarchy and became later on its excuse; for, when all the rich and enlightened members of the nation were unable to combine and co-operate in the work of government, it was impossible for the country to be administered by itself, and the intervention of a master was necessary.

'The nation,' said Turgot, with sadness in a confidential report to the King, 'is a society composed of different orders badly united, and of a people whose members have so few ties with each other that in consequence everyone is concerned merely with his own particular interest. Nowhere is a common interest visible. The villages, the towns, have no more mutual connections than the districts to which they belong. They cannot even co-operate to manage the public works which are necessary to them. In this constant war of claims and undertakings Your Majesty is obliged to decide everything by yourself or by your agents. Your special orders are awaited before men contribute to the common good, or respect the rights of others, or sometimes even exercise their own rights.'

It was no slight undertaking to bring together fellow-citizens, who had thus lived for centuries as strangers or as enemies, and to teach them how to conduct their own affairs in common. It had been more easy to divide them than it then was to reunite them. We have given the world a memorable example. When the different classes which divided the society of ancient France once more effected contact sixty years ago, after having been isolated for so long a time and by so many barriers, they only touched at first their sore spots and they met to tear one another in pieces. Even in our own days their jealousies and their hates survive them.



## CHAPTER XI

*Of the kind of Liberty found in the 'Old Order,' and of its influence on the Revolution.*

If the reader stopped at this point in the reading of this book, he would have a very imperfect picture of the government of the 'old order,' and he would little understand the society which produced the Revolution.

Seeing the citizens so much divided and so much contracted within themselves, a royal sway so extensive and so powerful, he would think that the spirit of independence had disappeared together with public liberties, and that all Frenchmen were equally bent to subjection. But that was far from being the case; the government already conducted alone and absolutely all public affairs, but it was still far from being the master of all individuals.

In the midst of many institutions already prepared for absolute power liberty survived; but it was a peculiar kind of liberty, of which it is difficult to-day to form an idea; we must examine it from close at hand if we are to understand the good and the evil which it could cause to the nation.

While the central government replaced all the local powers and filled more and more all the sphere of public authority, the institutions which it had allowed to survive or had itself created, old customs, ancient manners, abuses even, impeded its movements, kept still active, deep down in the souls of many individuals, the spirit of resistance and preserved in many characters their consistency and distinctive outline.

Centralization had already the same nature, the same methods, the same aims as in our own days, but had not

yet the same power. The government in its desire to make money out of everything, had put up to sale most public offices and had thus deprived itself of the right to give and withdraw these offices at its pleasure. Thus one of its passions had greatly injured the success of the other; its greediness had counteracted its ambition. It was therefore constantly reduced for action to employ instruments, which it had not itself fashioned, and which it could not break. The consequence therefore was that its most absolute wishes were often weakened in execution. This weird and vicious constitution of the public offices served instead of a political guarantee against the omnipotence of the central power. It was a kind of irregular and badly constructed dyke which divided its strength and broke its impact.

The Government did not as yet dispose of that unlimited number of favours, reliefs, honours, money, which it can distribute to-day; it had then less means either of seducing or compelling.

Government besides was less informed about the exact limit of its powers. None of its rights was regularly recognized or solidly established; its sphere of action was already immense, but it still walked with uncertain step as in a place dark and unknown. This fearful darkness, which then concealed the limits of every power and spread over all rights, while it might favour the designs of princes against the liberty of their subjects, was on the other hand often a defence to the subjects. The administration, feeling itself of recent date and of low birth, was always timid in its attitude if ever it met an obstacle in its path. In reading the correspondence between Ministers and Intendants of the eighteenth century it is a striking fact that the government so encroaching and so absolute, as long as submission to it is not disputed, becomes dumbfounded at the sight of the least resistance; is unsettled by the slightest criticism; is scared by the smallest noise; it stops; it hesitates, it parleys, it feels its way, and often remains far within the

natural limits of its power. The flabby egotism of Louis XV and the good nature of his successor lent themselves to it. These princes moreover never imagined that anyone would dream of dethroning them. They had nothing of that unquiet and harsh nature, which fear has often since given to those who govern. They only trampled on the people whom they did not see.

Many of the privileges, prejudices, false ideas, which were most opposed to the establishment of a regular and beneficent freedom, maintained in a great number of subjects the spirit of independence and disposed them to resist the abuses of authority.

The nobles heartily despised the administration properly so-called, though from time to time they made applications to it. Even in the surrender of their ancient power they retained something of that pride of their ancestors, which was the enemy both of slavery and of law. They hardly concerned themselves with the general liberty of the citizens and readily allowed the hand of power to weigh heavily on all around them; but they did not intend it to weigh upon themselves, and to secure their end they were ready at need to run great risks. At the time when the Revolution started, this nobility, which was to fall with the throne, still adopted towards the king and especially towards his agents an attitude infinitely more haughty and a language more free than that used by the third estate, which was very soon to overthrow the monarchy. Almost all the guarantees against the abuse of power, which we (Frenchmen) have possessed during the thirty-seven years of representative government, were haughtily claimed by the nobles. In reading their instructions for the States-General, in the midst of their prejudices and their foibles we feel the spirit and some of the great qualities of aristocracy. It must always be a cause for regret that, instead of bending this nobility to the rule of law, it was struck down and uprooted. By this action the nation was deprived of a necessary portion of its substance

and an incurable wound was inflicted on liberty. A class, which has marched for centuries in the van, contracts in this long unchallenged exercise of greatness a certain proudness of heart, a natural confidence in its strength, a habit of being looked up to, which makes it the point of most resistance in the social body. It has not only the manly virtues, it increases by its example the manliness of the other classes. By its destruction its very enemies are enervated. Nothing will ever completely replace it; itself, it can never be reborn; it can recover its titles and its possessions but not the soul of its ancestors.

The clergy, who have since shown such servile submission in civil matters to the temporal sovereign whoever it might be, and have been his most audacious flatterers, if only he has appeared to favour the church, formed then one of the most independent bodies in the nation, and the only body of which the special liberties had to be respected.

The provinces had lost their franchises, the towns no longer possessed anything but the shadow of theirs. Ten nobles could not assemble together to deliberate on any matter whatsoever without express permission from the King. The Church of France preserved right to the very end its periodical assemblies. Within the Church the ecclesiastical power itself had its defined limits. The lower clergy possessed serious guarantees against the tyranny of their superiors and were not prepared for passive obedience to the prince by the unlimited despotism of the bishop. I do not undertake to judge this ancient constitution of the church; I merely say that it did not prepare the soul of the clergy to political servility.

Many ecclesiastics besides were gentlemen by birth and brought into the Church the pride and intractability of people of their station. Furthermore, all had an elevated rank within the State and in it possessed privileges. The enjoyment of those very feudal rights, so fatal to the moral power of the Church, gave to its members individually a spirit of independence towards the civil power.

But that which contributed especially to give to the clergy the ideas, the needs, the sentiments, often the passions of the citizen, was the ownership of land. I have had the patience to read most of the reports and debates left to us by the old provincial estates and specially those of Languedoc, where the clergy were more than elsewhere associated in the details of public administration, as well as the minutes of the provincial assemblies which met in 1779 and 1787, and carrying into this perusal the ideas of my own time I was astonished to find bishops and abbots—some of them eminent both for saintliness and knowledge—making reports upon the construction of a road or of a canal, treating the affair with profound knowledge, discussing with unlimited science and skill the best means of increasing the products of agriculture, of ensuring a comfortable existence to the people, of promoting prosperity in trade; they were always the equals and often the superiors of all the laymen who were concerned with them in the same affairs.

I venture to think, in opposition to a very general and very strongly held opinion, that the nations, which take away from the Catholic clergy any share whatever in landed property and change all their incomes into salaries, only serve the interests of the Holy See and those of temporal princes, and rob themselves of a very great element of liberty.

A man who, in the best part of himself, is subject to a foreign authority, and who, in the country of his dwelling, cannot have a family, is, so to speak, only attached to the soil by one single real tie. Cut that tie, he no longer belongs specially to any place. In the place, where chance has placed his birth, he lives as a stranger in the midst of a society, none of the interests of which touches him directly. For his conscience he depends only on the Pope; for his subsistence only on the prince. His only fatherland is the Church. In every political event he hardly sees anything but that which favour or hurts the Church. Provided that

the Church is free and prosperous, what matters anything else? The most natural position for him in politics is indifference; an excellent member of the Christian city, he is a poor citizen everywhere else. Such sentiments and such ideas in a body, which is the director of infancy and the guide of morals, cannot fail to enervate the soul of the whole nation in the sphere of public life.

If a just idea is to be formed of the revolutions which the mind of man can undergo in consequence of the changes in his condition, the instructions to the order of the clergy in 1789 ought to be read once more.

In these the clergy often showed themselves intolerant, and sometimes stubbornly attached to several of their ancient privileges; ~~but for the rest~~, they were as hostile to despotism, as favourable to civil liberty, and as enamoured of political liberty as the third estate or as the nobles; they proclaimed that individual liberty ought to be guaranteed not by promises but by a procedure analogous to that of *Habeas Corpus*. They demanded the destruction of the state prisons, the abolition of exceptional tribunals and citing of cases away to the Council, publicity of debates, the irremovability of judges, the admissibility of all citizens to public situations which ought to be open to merit alone; a ~~form of~~ military recruitment less oppressive and less humiliating to the people, and from which no one should be exempt; the buying out of seignorial rights which, sprung from the old feudal system, were, they said, contrary to liberty; freedom to work without restraint, the abolition of internal customs-barriers; the multiplication of private schools; there ought to be one without charge, they said, in every parish—lay charitable establishments in all the country districts, such as charity offices and workshops; every sort of encouragement for agriculture.

In the political sphere properly so-called they proclaimed, more loftily than anyone, the absolute and inalienable right of the people to assemble for the purpose of passing laws and freely voting taxes. No Frenchman, they laid

down, should be forced to pay a tax which he had not voted either in person or by his representative. The clergy demanded further that the States-General, freely elected, should be assembled every year; that they should discuss all important matters in the presence of the nation; that they should pass general laws, against which no one should be allowed to plead any particular custom or privilege; that they should draw up the budget and control even the household of the King; that their deputies should be inviolable and that ministers should always be responsible to them. They expressed the further wish that assemblies of Estates should be created in all the provinces and corporations in all the towns. Of divine right not the least word.

On a general view and notwithstanding the startling vices of some of its members, there has never perhaps been in the world a clergy more remarkable than the Catholic clergy of France at the time when it was overtaken by the Revolution, more enlightened, more patriotic, less confined to merely private virtues, more equipped with public virtues, and at the same time, more attached to the faith—persecution clearly proved it. I began the study of the old society full of prejudices against the clergy; I finished the study full of respect for them. To speak the truth, they had only the faults inherent in all corporate bodies, political as well as religious, when they are strongly united and well-established, namely, a tendency to encroach, a rather intolerant temper, an instinctive and sometimes blind attachment to the particular rights of their corporation.

The middle classes of the 'old order' were likewise much better prepared than those of to-day to show a spirit of independence. Many of the vices in their constitution even assisted towards this result. We have seen that the public situations, which they held, were still more numerous than they are to-day, and that the middle classes showed the same keenness to obtain them. But notice the difference of the times. Most of these positions, being neither given

nor taken away by the government, increased the importance of the man who held the position without putting him at the mercy of power; in a word, that which to-day completes the subjection of so many people was precisely that which then most powerfully served to make them respected.

The immunities of every kind, which so unfortunately divided the middle class from the common people, made them into a spurious aristocracy which often showed the pride and the spirit of resistance of the true aristocracy. In each of the small particular associations, which divided the middle class into so many parts, the general good was readily forgotten, but the interest and rights of the small body were a matter of never-ending concern. In it were to be found a common dignity, common privileges to defend, No one could ever lose himself in the crowd or hide in it his servile cowardice. Every man found himself on a stage very small it is true, but very much in the limelight, and there was always the same gallery ever ready to applaud or hiss.

The art of stifling the sound of all resistance had not then been brought to the perfection that it has reached to-day. France had not yet become the dumb place in which we live; although political liberty was extinguished it echoed loudly every sound, and a voice raised could be heard afar.

That which specially in those days guaranteed to the oppressed a means of making themselves heard was the constitution of Justice.

In our political and administrative institutions we had become a country of absolute government, but in our judicial institutions we had remained a free people. Justice in the 'old order' of society was complicated, involved, slow and costly. These were certainly great defects, but it had no place for servility towards power, which is but one form and the very worst form of venality. This capital vice, which not merely corrupts the judge but very soon taints the whole body of the people, was entirely foreign



to it. The magistrate was irremovable and did not seek for promotion—two things equally necessary to his independence; for what matters inability to compel if there are a thousand other means of gaining over a man ?

True, the royal power had succeeded in taking away from the ordinary courts the cognisance of almost every matter in which the public authority was concerned, but, while depriving them, it still feared them. If it prevented them from judging cases, it did not always dare to prevent them from receiving complaints and uttering their views; and as the judicial language then retained the style of the old language of France, which loved to give everything its proper name, it often happened that the magistrates crudely described the proceedings of government as despotic and arbitrary actions. The irregular intervention of the Courts in government, which often disturbed the good administration of affairs, thus served sometimes as a safeguard to liberty. It was a great evil, which put bounds to a still greater evil.

Within these judicial bodies and all around them the vigour of ancient manners was preserved in the midst of the new ideas. The Parlements were no doubt more pre-occupied with themselves than with the public weal; but it must be recognized that in the defence of their own independence and of their own honour they always showed themselves intrepid and communicated their spirit to all that came near them. When, in 1770, the Parlement of Paris was broken, the magistrates, who constituted it, submitted to the loss of their position and of their power without a single individual bending before the royal will. Nay, more, Courts of a different kind, for example the Court of Aids, which were neither affected nor threatened, voluntarily submitted to the same severe treatment, when that severity had become certain. Nay, further still: the chief advocates, who practised before the Parlement, of their own free will associated themselves with its fortune; they renounced that which made their glory and their

wealth and condemned themselves to silence rather than plead before dishonoured judges. I know nothing greater in the history of free nations than that which was done on this occasion; moreover, it occurred in the eighteenth century by the side of the court of Louis XV.

The habits of the courts of law had become in many respects the habits of the nation. From the courts had been generally adopted the idea that every matter was a subject of debate, every decision was open to appeal; from the courts had come the use of publicity, a taste for forms—things hostile to servitude; it was the only part of a free people's education that was given to Frenchmen by the 'old order.' The Administration itself had borrowed much from the language and the usages of the law-courts. The king thought himself obliged always to give reasons for his edicts and to give his premises before drawing his conclusion; the edicts of the Council were preceded by long preambles; the Intendant signified his orders by a tip-staff. Within all the administrative bodies of ancient origin, such for example as the body of the Treasurers of France, or of the *Elus* matters were publicly discussed and decided after pleadings. All these usages, all these forms, were so many barriers to the despotism of the prince.

The common people alone, especially those of the country districts, were hardly ever in a position to resist oppression otherwise than by violence.

Most of the means of defence which I have just indicated were in fact outside their reach; for a man to use them it was necessary to have a place in society, where he could be seen and make his voice heard. But outside the common people there was not a man in France who, if he had the courage, could not dispute obedience and resist while yielding. The king spoke to the nation as a leader rather than as a master—'We glory,' said Louis XVI at the beginning of his reign in the preamble of an edict, 'in the fact that we command a free and generous nation.' One of his ancestors had already expressed the same idea in an

older language, when, thanking the States-General for the boldness of their remonstrances, he said—'We prefer to speak to freemen rather than to serfs.'

The men of the eighteenth century hardly knew that kind of passion for material comfort, which is, so to speak, the mother of servitude, an enervating but tenacious and unalterable passion, which readily mingles with and twines itself round many private virtues such as love of family, respectability of life, regard for religious beliefs, and even the assiduous if lukewarm practice of the established worship, which is partial to respectability but forbids heroism, which excels in making men steady but citizens mean-spirited. The men of the eighteenth century were both better and worse.

The French of that date loved joy and adored pleasure; they were perhaps more irregular in their habits and more unbridled in their passions and in their ideas than men of to-day; but they knew nothing of that judicious and well-regulated sensualism that *we* see around us. The upper classes were more concerned to adorn life than to make it comfortable, to make themselves illustrious rather than rich.

Even in the middle classes a man was not entirely devoted to the pursuit of comfort; the pursuit was often abandoned for the desire of higher and more refined pleasures; some other good rather than money was everywhere the objective. 'I know my countrymen,' wrote a contemporary, in a style fantastic but not wanting in pride, 'clever at melting and dissipating the metals, but not ready to give them continuous worship; they will be quite ready to return to their ancient idols—valour, glory, and, I make bold to say, magnanimity.'

Further, we must guard ourselves from estimating the mean-spiritedness of men by the degree of their submission to the sovereign power; this would be to use a false measure. However submissive men of the 'old order' were to the wishes of the king, there was one sort of obedience which

was unknown to them; they did not know what it was to bend before an illegitimate or disputed power—a power little honoured and often despised, to which submission was made because it was useful or could hurt. This degrading form of servitude was always unknown to them. The king inspired them with feelings which not one of the most absolute princes, that have since appeared in the world, has been able to evoke, feelings which have to us even become almost incomprehensible, so completely has the Revolution eradicated them from our hearts. They had for him at once the tenderness which is felt for a father and the reverence which is due only to God. In submitting to his most arbitrary commands they yielded less to constraint than to love and so they often even in the most extreme submission, preserved complete freedom of soul. To them the greatest evil of obedience was constraint; to us it is the least. The worst is in that servile sentiment which produces obedience. Let us not despise our fathers, we have no right to do so. Would to God that we could regain with all their prejudices and their faults a little of their greatness.

It would then be very wrong to regard the 'old order' as a period of servility and dependence. There was far more liberty then than in our own days; but it was a species of irregular and intermittent liberty, always confined to the limit of classes, always tied to the idea of exemption and privilege, which permitted defiance of the law equally with the defiance of arbitrary power, and never went far enough to secure to all citizens the most natural and the most necessary guarantees. Thus reduced and deformed liberty was still fruitful. It was this liberty which at the very time when centralization was working to equalize, to break, to tarnish, all characters, preserved in a great number of individuals their native originality, their colouring and their distinctive features, nourished pride of self in their hearts and often caused the desire of glory to predominate over all other desires. By it were formed those vigorous souls, those proud and daring spirits, which were presently

to be born and which were to make the French Revolution at once the admiration and the terror of the generations that followed it. It would have been very strange if virtues so masculine could have grown on a soil where liberty was no more. But if this sort of irregular and unwholesome liberty prepared the French to overthrow despotism, it rendered them less fitted than any other people perhaps to establish in its place the free and peaceable sovereignty of law.

## CHAPTER XII

*How, despite the progress of Civilization the condition of the French Peasant was sometimes worse in the eighteenth century than it had been in the thirteenth.*

**I**n the eighteenth century the French peasant could no longer be the prey of petty feudal despots; he was only on rare occasions exposed to acts of violence on the part of the government; he enjoyed civil liberty and possessed his share of the soil; but all men of the other classes kept themselves at a distance from him, and he lived more alone than was perhaps to be seen anywhere else in the world. A new and singular form of oppression, the effects of which deserve a very careful and separate study.

At the beginning of the seventeenth century Henry IV, according to Péréfixe, complained that the nobles had abandoned the country districts. In the middle of the eighteenth this desertion had become almost general; all contemporary documents pointed out and deplored the fact—the economists in their books, the Intendants in their letters, agricultural societies in their memoirs. The authentic proof is to be found in the rolls of the *Capitation* tax. This tax was levied at the actual place of residence; it was collected from all the great nobles and from a part of the lesser nobles at Paris.

There scarcely remained in the country districts any gentry except such as were compelled to stay behind owing to the meanness of their fortune. Such a gentleman found himself *vis-à-vis* of his neighbours the peasants in a position which, I think, no rich proprietor had ever before occupied. Being no longer their chief he was no longer interested as formerly in managing, assisting, guiding them; on the

other hand, being not himself subject to the same public charges as the peasants, he could not feel a lively sympathy for their suffering which he did not share, nor associate himself with their grievances to which he was a stranger. These men were no longer his subjects, he had not yet become their fellow-citizen—a position unique in history.

This caused a kind of spiritual absenteeism, if I may so express myself, more common still and more effective than absenteeism properly so called. That was why the gentleman resident on his lands often displayed views and sentiments which in his absence would have been found in his agent. Like an agent he only saw debtors in his tenants and he exacted strictly from them all that was still due to him by law or custom, and this sometimes made the collection of the remains of feudal rights more oppressive than in the days of feudalism itself.

Often involved in debt and always needy he generally lived in a very niggard style in his castle—his only thought being to save up money which during the winter he was going to spend in the town. The people, who often go straight to the apt word, had given to this small squire the name of the smallest bird of prey. They called him the 'Falcon.'

Individual exceptions can, no doubt, be adduced; I speak of classes as a whole, they alone deserve the attention of history. That there were in this period many rich proprietors, who without necessity and without common interest concerned themselves with the well-being of the peasants, who would deny? But these last struggled with success against the law of their new position, which, despite themselves, pushed them towards indifference, as it pushed their ancient vassals towards hatred.

This desertion of the country districts by the nobles has often been attributed to the particular influence of certain ministers and of certain kings—by some to Richelieu, by others to Louis XIV. As a matter of fact, it was an idea almost always pursued by the kings during the last three centuries of the monarchy—to separate the nobles

from the people and to attract them to the Court and the king's service. That was seen especially in the seventeenth century, when the nobles were still an object of fear to royalty. Among the questions addressed to the Intendants was still found this—'Do the nobles of your province prefer to remain at home or to live away?'

There is extant the reply of one Intendant to this question; he complains that the nobles of his province preferred to remain with their peasants rather than fulfil their duties to the king. Now note this well. The province of which this was spoken was Anjou, later known as La Vendée. Those nobles who refused, as he said, to render their services to the king were the only people who defended with arms in their hands the monarchy in France, and who died fighting for it, and they owed this glorious distinction solely to the fact that they had known how to keep their grip on the peasants around them, those peasants with whom they had been reproached for preferring to live.

We must, however, be on our guard against attributing to the direct influence of certain of our kings, the desertion of the country districts by the class which then formed the head of the nation. The principal and permanent cause of this fact lay not in the will of certain men but in the slow and never-ending action of institutions. The proof is found in this that, when in the eighteenth century the government wished to combat the evil, it was not able even to stay its progress. Just in proportion as the nobles lost their political rights without acquiring others and as local liberties disappeared, so this emigration of the nobles increased; it was no longer necessary to lure them away from their homes; they had no desire to stay there; life in the country had become to them insipid.

What I here say of the nobles ought to be understood as applicable in every country to rich landed proprietors. Is it a centralized country? the rural districts are emptied of rich and enlightened inhabitants. I could go further—a centralized country is a country of imperfect and



unprogressive cultivation; and I could comment on the profound saying of Montesquieu by explaining his meaning—'lands produce less by reason of their fertility than by reason of the liberty of their inhabitants.' But I must not go beyond the limits of my subject. We have seen elsewhere how men of the middle class deserting on their part sought from all sides a refuge in the towns. There is no point on which the documents of the 'old order' are more agreed. Only one generation of rich peasants, they say, is ever seen in the country districts. If a farmer succeeds by his industry in acquiring a small competence, he very soon makes his son quit the plough, sends him to the town and purchases for him a small office. From this epoch must be dated that kind of singular horror which the French cultivator often manifests even in our own day for the profession which has enriched him. The effect has survived the cause.

To speak the truth the only educated man, or, in the English phrase, the only gentleman who resided permanently among the peasants and remained in continuous touch with them was the curé; therefore the curé would have become master of the rural populations, despite Voltaire, if he had not himself been so closely and obviously attached to the political hierarchy; possessing many privileges of the latter he inspired to a certain extent the hatred arising from it.

The peasant was then almost entirely separated from the upper classes; he was separated even from those of his own class, who would have been able to assist and guide him. In proportion as these latter secured enlightenment or a competence, they deserted him; he remained, so to speak, selected and set apart in the midst of the whole nation.

This state of affairs did not exist to the same degree in any of the other great civilized peoples of Europe; in France, itself it was a modern phenomenon. The peasant of the fourteenth century was both more oppressed and more assisted. The nobles sometimes tyrannized over, but they never deserted, the peasants.

In the eighteenth century a village was a community of which all the members were poor, ignorant, and gross; its magistrates were as uncultivated and as much despised as the rank and file; its *syndic* was unable to read; its *collector* could not draw up with his own hand the accounts on which his own and his neighbour's fortune depended. Not only had its former lord ceased to have the right to govern, but by this time he had come to regard taking any share in its government as a kind of degradation. To assess the *taille*, to levy the militia, to regulate the forced labour, were servile duties, the work of the *syndic*. The central government was now alone concerned with the village; as that power was far away and had as yet nothing to fear from the inhabitants of the villages it was hardly concerned with anything but drawing profit from them.

Come now and see what becomes of a deserted class, which no one desires to oppress, but no one seeks to enlighten and to serve.

The heaviest burdens, which the feudal system laid on the rural dwellers, had no doubt been abolished or lightened; but it is not sufficiently realized that for these had been substituted other burdens perhaps more oppressive. The peasant did not suffer from all the evils from which his forbears had suffered, but he had to undergo many afflictions, which his forbears had never known.

It was almost entirely at the expense of the peasants that the *taille* had been increased tenfold in the preceding two centuries. Something must here be said of the manner in which it was levied on them, in order to show what barbarous laws can be established or maintained in civilized centuries, when the most enlightened members of the nation are not personally interested to change them.

I find in a confidential letter written by the Contrôleur-General himself in 1772 to the *Intendants* this description of the *taille*—a little masterpiece of accuracy and brevity: 'the *taille*,' said this minister, 'arbitrary in its assessment, its payers jointly liable, levied on a personal and not on a

landed basis throughout the greater part of France, is subject to continual variations in consequence of all the changes which take place every year in the circumstances of the tax-payers.' Everything is there in three phrases. It would be impossible to describe with more skill the evil from which profit was made.

The sum total due from the parish was fixed year by year. It constantly varied, as the minister said, in such a way that no farmer could foresee a year in advance what he would have to pay the following year. Within the parish a peasant chosen at random and called the *Collector*, who had to apportion the tax between all the other peasants. I promised that I would describe the position of this Collector. Let us listen to the provincial assembly of Berry in 1779; it cannot be suspect; for it was composed almost entirely of privileged persons who did not pay the *taille*, and who were chosen by the king. 'As everyone wishes to avoid the office of Collector,' it said, in 1779, 'everyone must take the office in turn. The levy of the *taille* was therefore entrusted every year to a new Collector without regard to his capacity or honesty; therefore, the composition of each tax-roll expresses in some degree the character of its composer. The Collector imprints on it, his fears, his whims, or his vices. How else could he succeed in his task? He works in the dark. For who knows exactly the means of his neighbour or the proportion of his means to that of another. However, the Collector has to decide the point without help, and he is responsible with all his own goods and even with his own body for the receipts. Generally he has to lose half his days for two years running after those liable to the tax. Those who are unable to read are obliged to seek in the neighbourhood for someone who can take their place.'

Turgot a little before had already said of another province—'This office causes the despair and almost always the ruin of those on whom it is imposed; thus all the comfortably-off families in a village are reduced to misery.'

This unfortunate person was, however, armed with

unlimited and arbitrary power; he was almost as much a tyrant as a martyr. During his term of office, in which he ruined himself, he had it in his power to ruin everyone else. 'Partiality to his kinsfolk,' it is still the provincial assembly speaking, 'to his friends and his neighbours, hatred and vengeance to his enemies, the need of a protector, the fear of offending a well-to-do citizen who has work at his disposal, fight in his heart against sentiments of justice.' His own terror often made the Collector pitiless; there were parishes in which the Collector never went out unaccompanied by bailiffs and constables. 'When he went without constables,' said an Intendant to the minister in 1764, 'the tax-payers would not pay.' 'In the district of Villefranche alone,' we still hear from the provincial assembly of Guienne, 'six hundred bearers of writs and bailiffs' men can always be counted on the road.'

To escape this violent and arbitrary taxation the French peasant in the very middle of the eighteenth century acted like the Jew did in the Middle Ages; he made himself appear miserably poor, when it might be that he was not so in reality; if he had a competence, he was not without reason afraid. I find a clear proof of this in a document which I will now quote not from Guienne, but from a hundred leagues off. The Agricultural Society of Maine announced in its report of 1761 that it had had the idea of distributing cattle by way of prizes and encouragement. 'The idea has been given up,' it said, 'because of the dangerous consequences in which those who won the prizes would be involved by a base jealousy, that by reason of the arbitrary assessment of the taxes would cause them trouble in the following years.'

In this system of taxation each tax-payer had in fact, a direct and permanent interest in spying on his neighbours and in denouncing to the Collector the increase of their means; they were all trained to envy, delation, and hatred. It might almost be thought that these things were happening in the domains of a rajah of Hindostan!

There were, however, at the same time in France districts in which the tax was levied with regularity and with consideration; these were the *pays d'états*. They had been left with the right of levying the tax themselves. In Languedoc for example the *taille* was only levied on landed property and did not vary according to the means of the proprietor. It had as its fixed base open to view a carefully-made survey renewed every thirty years, in which the lands were divided into three classes according to their fertility. Each tax-payer knew in advance exactly the amount of tax that he had to pay. If he did not pay, he alone or rather his property alone was responsible for it. Did he think himself wronged in the assessment? He had always the right of demanding that his position should be compared with that of another inhabitant of the parish chosen by himself. It is what is called to-day the appeal to proportional equality.

All these rules are precisely those which we now follow; they have hardly been improved, they have only been generalized. It deserves to be noticed that though we have taken from the government of the 'old order' the exact form of our public administration we have been careful not to imitate it in anything else. It is from the provincial assemblies and not from it that we have borrowed our best administrative methods. While adopting the machine we have rejected the produce. The habitual poverty of the rural inhabitants gave birth to maxims, which were not calculated to put an end to it. 'If peoples lived in comfort,' wrote Richelieu in his *Political Testament*, 'they would with difficulty be kept within bounds.' In the eighteenth century such an extreme view was not taken, but it was still thought that the peasant would not work except under the constant spur of necessity; poverty was thought to be the sole guarantee against idleness. It is exactly the same theory that I have sometimes heard put forward with reference to our colonial negroes. This opinion is so widely spread amongst those who govern that almost all

economists think themselves bound to combat it in set terms.

The original object of the *taille* was to make it possible for the king to purchase soldiers and so set free the nobles and their vassals from military service; but in the seventeenth century the obligation of military service was reimposed, as we have seen, under the name of the militia, and the burden this time was laid on the common people alone and almost exclusively on the peasant.

To prove that the militia was not raised without difficulty it is only necessary to look at the enormous numbers of the police-reports that fill the boxes of an intendancy, all dealing with the pursuit of refractory or deserting militiamen. In fact there was no public burden found more insufferable by the peasants than the militia; to avoid it they often took refuge in the woods into which they had to be pursued with armed force. It is a matter for surprise when we think of the facility with which enforced recruitment operates to-day.

This extreme repugnance of the peasants under the 'old order' to the militia was less due to the principle of the law than to the manner in which the law was executed; the blame must be laid on the long uncertainty in which it kept those involved (a man could be called up to forty years of age, unless he was married); on the arbitrary character of revision, which rendered almost useless the advantage of a lucky number in the draw; on the prohibition against getting a substitute; on disgust with a harsh and perilous calling, in which any hope of promotion was forbidden; but especially on the feeling that this heavy burden was laid on themselves alone and on the most miserable among themselves, the ignominy of their state rendering its hardships the more bitter.

I have had in my hands many returns of the militia draw in 1769; in each of them are exemptions; this man is the servant of a gentleman; another is the porter of an abbey; a third is the valet of a middle-class man, it is true, but the

middle-class man *lives like a noble*. Comfortable circumstances are sufficient by themselves to give exemption; when a farmer figures annually amongst those most heavily taxed, his sons have the privilege of being exempted from the militia; it is called the encouragement of agriculture.

The economists, great advocates of equality in everything else, are not offended at this privilege; they only ask that it should be extended to other cases, in other words, that the burden on the poorest and least protected peasants should be made heavier. 'The lowness of the soldier's pay,' said one of them, 'the style in which he is lodged, clothed, fed, his complete dependence would make it too cruel to take any but a man of the very lowest class.'

Till the end of the reign of Louis XIV the high roads were either not repaired at all, or were repaired at the expense of all those who used them; that is to say, of the state, or of the roadside owners of property; but about that time the system was begun of repairing them by forced labour only, that is to say, at the expense of the peasants alone. This expedient for having good roads without paying for them was thought to be so happily conceived, that in 1737 a circular from the Controller-General Orry applied it to the whole of France. The Intendants were armed with the right of imprisoning recalcitrants at will, or of sending constables to fetch them.

From that time onwards, whenever trade increased, whenever the need or desire for new roads spread, the system of forced labour was extended to new roads and the burden was increased. In the report made in 1779 to the provincial assembly of Berry the works executed by forced labour in this poor province were assessed at the value of 700,000 livres per annum. In lower Normandy in 1787, they were assessed at almost the same sum. Nothing could better show the unhappy lot of the rural population. The progress of society, which enriched all other classes, made them despair; civilization turned against them alone.

and enlightened men, who would have had the wish and the power, if not to defend them, at least to intercede for them with that common master, who already held in his hands the fortune of rich and poor alike.

I have read the letter which a big landed proprietor wrote in 1774 to the Intendant of his province urging him to open up a certain road. This road, according to him, would give prosperity to the village and he gave reasons for his opinion; then he went on to urge the establishment of a fair which, he was sure, would double the price received for provisions. This good citizen added that with the help of a small grant it would be possible to establish a school which would secure to the king more industrious subjects. It was now for the first time that he had thought of these necessary improvements; they had only occurred to him during the last two years, in which a *lettre de cachet* had confined him to his castle. 'My exile for the last two years on my estates,' said he ingenuously, 'has convinced me of their extreme utility.'

But it was especially in times of dearth that the relaxation or complete breach of the ties of patronage and dependence, which formerly connected the great landowner with the peasants, was perceived. In such moments of crisis the central government was frightened by its own isolation and weakness; it would have wished to re-create for the occasion the personal influences or the political associations which it had destroyed. It called them to its aid, but no one appeared, and it was astonished, speaking generally, to find those people dead, whose life the government itself had taken.

In this extremity there were Intendants in the poorest provinces who, like Turgot for example, issued illegal ordinances compelling the rich landowners to feed their tenants till the approaching harvest. I have found under the date 1770 the letters of several curés proposing to the Intendant to tax the great landowners of their parishes, ecclesiastical as well as lay, 'who possess here,' they said,



enormous estates on which they are not resident and from which they draw large incomes which they devour elsewhere.'

Even in ordinary times the villages were infested with beggars; for, in the words of Letronne, the poor were assisted in the towns, but in the country begging was an absolute necessity.

From time to time very violent measures were taken against these unfortunates. In 1767 the Duc de Choiseul wished at one stroke to abolish begging in France. The correspondence of the Intendants shows the rigorous steps he took. The police were ordered to arrest at once all the beggars found in the Kingdom; it is said that more than 50,000 were seized. Sturdy vagabonds were to be sent to the galleys; more than forty workhouses were opened to receive the others; it would have been better worth while to open once more the hearts of the rich.

The government of the 'old order,' which was, I have said, so mild and sometimes so timid, such a lover of forms, of delays and consideration, when it had to deal with men of rank above the common people, was often rough and always prompt in proceeding against members of the lowest class and especially the peasants. Amongst the documents which have passed before my eyes I have not seen a single one, which tells of the arrest of a middle-class man by the order of an Intendant; but the peasants were being constantly arrested for the forced labour, for the militia, for begging, for the police, and in a thousand other circumstances. For the one class, independent courts, long debates, the protection of publicity; for the other, the provost who judged summarily and without appeal.

'The immense gulf which separates the common people from all the other classes,' wrote Necker in 1785, 'helps to screen from our sight the manner in which authority can be employed towards all the people lost in the crowd. Without the mildness and the humanity, which characterize the French and the spirit of the age, it would be a continuous

source of grief to those, who can pity others, who bear a burden from which they themselves are exempt.'

But the oppression was shown less in the active evil done to these unfortunate persons than in the good which they were prevented from doing to themselves. They were free and owners of land, and yet they remained almost as ignorant as and often more miserable than the serfs, their ancestors. They remained unaffected by industry in the midst of prodigious advances of the arts, uncivilized in a world scintillating with enlightenment. While retaining the intelligence and the perspicacity peculiar to their race, they had not learnt how to use them; they could not even succeed in the cultivation of the soil—which was their only calling. 'The agriculture I see before me is that of the tenth century,' said a celebrated English agriculturist. They only excelled in the calling of arms; there, at least, they had a natural and necessary contact with the other classes.

It was in this abyss of isolation and of misery that the peasant lived; he was, so to speak, shut up in it, so that he could not be reached. I was surprised and almost startled on discovering that, less than twenty years before the Catholic worship was suppressed without resistance and the churches profaned, the method sometimes adopted by the administration for finding out the population of a district was this—the curés indicated the number of those who presented themselves at Easter at the holy table; to this were added the estimated number of the children under age and of the sick; the sum formed the total number of the inhabitants. However, the ideas of the age were already from all sides finding their way into these coarse minds; they entered by circuitous and subterranean routes, and in these narrow and dark spaces assumed strange shapes. Nevertheless, nothing as yet seemed changed externally. The manners of the peasant, his habits, his beliefs, seemed always the same; he was submissive, he was even merry.

The gaiety, which the Frenchman often shows in the

midst of his greatest misfortunes, must be distrusted; it merely proves that, believing his misfortune inevitable, he seeks distraction by not thinking about it; it does not show that he does not feel it. Open to him a way of escape from this misery, which he seems to feel so lightly, he will very soon move in this direction with such great violence, that, if you happen to be in his road, he will pass over your body without seeing you.

We clearly see these things from the point we have reached; but contemporaries did not see them. It is only with great difficulty that men of the upper classes ever succeed in seeing clearly what passes in the soul of the common people, especially in that of the peasants. The peasant's education and style of life open to him a view of human affairs, which is peculiar to himself and closed to everyone else. But when the poor man and the rich man have scarcely any longer any common interests, any common grievances, any common business, that darkness, which conceals the soul of the one from the soul of the other, becomes unfathomable, and these two men could live side by side for ever without ever penetrating each other's thoughts. It is curious to see in what strange security all those lived, who occupied the upper and the middle storeys of the social edifice, at the very moment when the Revolution began, and to hear them discoursing ingeniously amongst themselves on the virtues of the common people, on their mildness, their devotion, their innocent pleasures, when '93 was already opening beneath their feet. Spectacle absurd and terrible!

Let us stop here before passing on, and ponder for one moment, amidst all these petty facts which I have just mentioned, over one of the great laws of God in his rule of human affairs.

The French nobility had obstinately kept apart from the other classes; they ended by gaining exemption from most of the public duties which fell on them; they imagined that they would preserve their great position, while with-

drawing from these duties, and it appeared at first that they had done so. But very soon an internal and invisible malady fastened on them and caused them to shrink without anyone touching them; they grew poorer in proportion as their immunities increased. The middle class, with which they were so afraid of being confused, on the contrary grew richer and more enlightened by their side, without them and against them. They had not wished to have the men of the middle class as their associates and their fellow-citizens; they were going to find them as their rivals, very soon as their enemies, and finally as their masters. An outside power had released them from the charge of guiding, protecting, assisting, their vassals; but, as at the same time it had left untouched their pecuniary rights and their honorary privileges, they thought they had lost nothing; as they continued to march at the head, they thought that they still led, and in fact, they continued to have around them men who in legal deeds were called their *subjects*; others were called their vassals, their tenants, their farmers. In reality no one followed them; they were alone, and, when the attack for their overthrow came, flight alone was possible for them.

Although the destiny of the nobles and that of the middle class had been very different, they were alike in one respect; the middle class man had ended by living as far apart from the common people as the noble himself. Far from drawing near to the peasants he had avoided any contact with their miseries; instead of uniting firmly with them, to struggle in common against the common inequality, he had only sought to create new injustices in his own position; he had been as keen to secure exemptions for himself, as the noble to maintain his privileges. Those peasants, to whom he owed his origin, had become to him not only strangers, but, so to speak, unknown, and it was only after he had put arms in their hands, that he saw that he had excited passions, of which he had not the faintest idea, passions which he was equally powerless to restrain

or guide, passions of which, after being their promoter, he was to become the victim.

Astonishment will be felt throughout the ages at the ruin of that great house of France, which had seemed bound to extend over the whole of Europe, but those who read attentively its history will easily understand its fall. Almost all the vices, almost all the mistakes, almost all the fatal prejudices which I have just described owed, in fact, either their birth, or their continuance, or their development, to the practice pursued by most of our kings in dividing men in order to govern them more absolutely.

But when the middle class had been thus completely isolated from the nobles, and the peasant from them both; when, by a similar process continuing within each class, there had been formed within each class separate minute bodies almost as completely isolated as the classes were from each other, it was found that the whole was composed of a homogeneous mass, of which the parts were not bound together. Nothing was any longer so organized as to trouble the government; nothing any longer, so as to assist it. So that the whole edifice of the greatness of these kings could collapse all together in one moment, as soon as the society, which served as its base, was agitated.

Finally this people, which alone seemed to have drawn profit from the faults and the mistakes of all its masters, if it has indeed escaped from their rule, has failed to withdraw itself from the yoke of false ideas, vicious habits, evil tendencies, which they implanted in it or allowed to take root. It has sometimes transported the tastes of a slave into the very practice of its liberty; as incapable of ruling itself as it has shown itself stubborn in resistance to its teachers.

### BOOK III

## CHAPTER I

*How, towards the middle of the Eighteenth Century, men of letters became the chief politicians of the country and the effects resulting therefrom.*

I now dismiss from view the old and general facts, which prepared the great Revolution which I wish to portray. I come to the particular and more recent facts, which finally determined its place, its birth, and its character. France for a long time past had been the most literary amongst all the nations of Europe. Nevertheless, the men of letters had never shown the powers of mind which they displayed towards the middle of the eighteenth century, nor occupied the place which they then took. The like had never been seen amongst us, nor, I think, anywhere else.

They did not take part daily in public affairs as in England; on the contrary they had never lived further away from them; they were not clothed with any authority whatsoever, and filled no public function in a society already full of functionaries.

They did not, however, remain, like most of their fellows in Germany, entirely strangers to politics, withdrawn to the domain of pure philosophy and fine letters. They were constantly occupied with matters that had reference to government. To speak the truth it was their special interest. They were heard every day discoursing on the origin of societies, and on their primitive forms, on the original rights of citizens and on the rights of authority, on the natural and artificial relations of men to each other, on the wrong or the rightfulness of custom, on the very principles of the laws. Penetrating thus every day to the basis of contemporary society, they examined with curiosity its

structure and criticized its general plan. All of them, it is true, did not make these great problems the object of a special and profound study; most of them only touched them casually, and, as it were, playfully, but all had to do with them. This kind of abstract and literary politics was spread unequally over all the works of that period, and there was none, from the heavy treatise to the light song, that did not contain a dose of it.

As to the political systems of these writers they varied from one another to such an extent that the man, who tried to harmonize them and form from them a single theory of government, would never get to the end of such a work.

Nevertheless, if we neglect details to arrive at the prime ideas, we easily discover that the authors of these different systems agreed at least in one very general idea, which each of them seems to have equally conceived, which appears to have existed in their minds prior to all their peculiar ideas and to have been their common source.

However far they may have separated in the rest of their course, they all had this single point of departure; they all thought it would be good to substitute simple and elementary rules drawn from reason and natural law for the complicated and traditional customs, which ruled the society of their time.

A good look will show that what may be called the political philosophy of the eighteenth century consisted properly speaking in this one idea. Such an idea was not new; constantly for 3,000 years it had crossed and recrossed the imagination of men without taking root. How was it that it came to take possession this time of the minds of all the writers? Why was it that instead of stopping, as it had often formerly done, in the heads of certain philosophers, it descended to the crowd and took the consistency and heat of a political passion, in such wise that general and abstract theories on the nature of society became the subject of daily conversation among those who had nothing to do, and inflamed the imagination even of women and



peasants? Why was it that men of letters, who possessed neither rank, nor honours, nor riches, nor responsibility, nor power, became in fact the chief and even the sole politicians of the age, since, while others did the actual work of government, they alone had the authority? I would like in a few words to indicate what an extraordinary and terrible influence these facts, which at first sight only belong to the history of our literature, had on the Revolution and have even to our own days.

It was not by mere chance that the philosophers of the eighteenth century had as a body conceived notions so contrary to those, which in their days still served as the basis of society; these ideas had been naturally suggested to them by the sight of that very society which they all had before their eyes. The spectacle of so many wrongful and absurd privileges, of which the weight was felt more and more, and the cause was less and less understood, drove or rather precipitated the minds of them all simultaneously towards the idea of the natural equality of conditions. Seeing so many irregular and bizarre institutions, the offspring of another age, which no one had attempted to harmonize with each other or to adapt to new needs, and which seemed bound to perpetuate for ever their existence, they readily conceived a loathing for things ancient and for tradition, and they were naturally led to wish to rebuild the society of their age according to a plan entirely new, which each of them traced by the sole light of his reason.

The very position of these writers led them to relish general and abstract theories in the matter of government and to trust them blindly. In the almost unlimited detachment, in which they lived from practice, no experience tempered the ardour of their temper; nothing warned them of the obstacles, which existing facts could put in the way of even the most desirable reforms; they had no idea of the dangers which always accompany the most necessary revolutions. They had not even a presentiment of them;

owing to the complete absence of all political liberty the world of practical affairs was not merely badly known, it was quite invisible. In the world of affairs they did nothing, and could not even see what others did in it. They were therefore entirely without that superficial instruction, which the sight of a free society and the sound of its utterances give even to those, who in it have the least share in its government. And so they became much bolder in their novelties, more enamoured of general ideas and of systems, more contemptuous of ancient wisdom, and more confident still in their individual reason, than is generally seen in authors, who write speculative books on politics. The same ignorance gave them the ear and the heart of the crowd. If the French had still taken part, as formerly, in the government in the States-General; if even, they had continued to busy themselves daily in the administration of the country in the provincial assemblies, they would certainly never have let themselves be inflamed, as they then were, by the ideas of the writers; they would have kept a touch on practical business which would have saved them from pure theory.

If, like the English, they had been able, without destroying their ancient institutions, to change their spirit gradually by practice, perhaps they would not have been so keen to conceive of institutions entirely new. But everyone of them every day felt himself aggrieved in his fortune, in his person, in his comfort, or in his pride by some old law, some ancient political usage, some survival of ancient powers, and he could not perceive within his reach any remedy, that he could himself apply to this particular grievance. It seemed as though he must either endure everything, or else destroy everything, in the constitution of the country.

We had, however, retained one liberty in the ruin of all the others; we could philosophize almost without restraint on the origin of society, on the essential nature of government, and on the original rights of mankind.

All those, who were aggrieved by the practical application of the law, very soon fell in love with this literary form of politics. The taste reached even those, whose nature or position naturally withdrew them most from abstract speculations. There was no tax-payer injured by the unequal assessment of the *taille*, who was not warmed by the idea that all men ought to be equal; there was no small landowner ravaged by the rabbits of the noble his neighbour, who was not pleased to hear it said that all privileges were without distinction condemned by reason!

Every public passion was thus disguised in philosophy; political life was violently forced back into literature, and the writers, taking in hand the direction of opinion, found themselves for the moment holding the place which party chiefs ordinarily hold in free countries. No one was in a position to dispute the part with them.

An aristocracy in the days of its strength does not merely conduct affairs; it still directs opinions, gives their tone to the writers and authority to ideas. In the eighteenth century the French nobility had entirely lost this part of its supremacy; its credit had followed the fortune of its power; the place, which it had occupied, in the government of mind was left empty, and the writers could extend themselves in it at their ease and fill it alone.

Nay, more, this self-same aristocracy, whose place they had taken, favoured their enterprise; it had so entirely forgotten that general theories, once admitted, are inevitably at last transformed into political passions and acts, that the doctrines, most opposed to their peculiar rights and even to their existence, appeared to them as an ingenious mental game; the nobles themselves gladly joined in the pursuit as a pastime, and, while they peaceably enjoyed their immunities and their privileges, serenely discussed the absurdity of all the established customs.

Astonishment has often been expressed at the strange blindness with which the upper classes of the 'old order' thus helped themselves to their own ruin. But whence could

they have derived enlightenment? Free institutions are not less necessary to leading citizens, to show them their perils, than to meaner citizens, to secure them their rights. For more than a century, since the last traces of public life had disappeared from amongst us, those most directly interested in the maintenance of the old constitution had not been warned by any shock or by any noise that this old building was about to fall. As nothing had externally changed, they imagined that everything had remained precisely the same. Their mind had stopped at the point of view held by their fathers. In the 'instructions' of 1789 the nobles showed themselves as much preoccupied with the enervations of the royal power, as they could possibly have been in those of the fifteenth century. On his side the unfortunate Louis XVI, just before perishing in the flood of democracy (as Burke rightly remarked) continued to see in the aristocracy the chief rival of the royal power; he mistrusted it, as if it had still been the age of the Fronde. The middle class and the common people on the contrary appeared to him, as to his ancestors, the surest support of the throne. But that which will seem more strange to us—to us who have before our eyes the *débris* of so many revolutions—is that the very idea of a violent revolution never occurred to the mind of our fathers. It was never conceived of. The small disturbances, which public liberty constantly applies to the most settled societies, call to mind every day the possibility of upheavals and keep the public watchfulness on the stretch; but in this French society of the eighteenth century no warning had been given that the building was out of the perpendicular.

I have read with attention the 'instructions' drawn up by the three Orders before they united in 1789. I say, the three Orders, those of the nobility and of the clergy as well as those of the third estate. I see that here the change of a law is demanded, there the change of a custom and I take note of it. I continue this immense work to its very end, and when I come to assemble together all these particular

wishes, I perceive with a sort of terror that what is claimed is the simultaneous and systematic abolition of all the laws and of all the customs obtaining throughout the kingdom. I see immediately that the matter going to be at issue is one of the vastest and most dangerous revolutions that has ever occurred in the world. Those, who will to-morrow be its victims, know nothing about it; they think that the total and sudden transformation of such a complicated and such an ancient society can be effected without shock by the aid of reason and by its efficacy alone. Unhappy beings! They had forgotten that maxim which their forefathers had thus expressed 400 years before in the simple and forceful language of that age—*By requiring too great a freedom and liberty men fall into too great slavery.*

It is not surprising that the nobles and men of the middle class, excluded as they had been for so long a time from all public life, should have shown this singular lack of experience; but what is more astonishing is that the very persons who conducted public business—the Ministers, the Magistrates, the Intendants—scarcely showed more foresight. Many of them were, moreover, very clever at their calling; they had a thorough grasp of all the details of the public administration of their time; but as to that great science of government, which learns to grasp the general movement of society, to discern what is passing in the mind of the masses and to foresee its result, they were as totally uninformed as the common people themselves. It is, in fact, only the play of free institutions that can give complete instruction to statesmen in this principal part of their art.

This is well seen in the memoir that Turgot addressed to the King in 1775. In it he advised him, among other things, to call together every year for six weeks around his person a representative assembly, freely elected by the whole nation, but not to give this assembly any effective power. It would only be concerned with administration but not with government, its business would be rather to

give advice than to express its will, and in truth its function would be only to discuss but not to enact laws. 'In this fashion the royal power would be enlightened but not impeded,' said he, 'and public opinion satisfied without danger. For these assemblies would have no authority to oppose indispensable operations and if—which was possible—they did not confine themselves to the part assigned them, His Majesty would always remain the master.' It would have been impossible more completely to misconceive the bearing of a measure and the spirit of the age. It has often happened, it is true, towards the end of revolutions that it has been possible to do with impunity that which Turgot proposed, and to give the shadow without the substance of real liberty. Augustus attempted it with success. A nation fatigued by long disputes willingly agrees to be duped, provided that it is given repose, and history teaches us that it is then sufficient for its contentment to assemble from all the country a certain number of obscure or dependent men, and to make them play before it the rôle of a political assembly in return for pay. There have been several instances of this. But at the outset of a revolution these attempts always fail and serve no purpose but to inflame, without contenting, the people. The meanest citizen of a free country knows that; Turgot, great administrator though he was, knew it not.

If we now reflect that this same French nation, so completely ignorant of its own affairs and destitute of experience, so much aggrieved by its institutions and so powerless to amend them, was at this same time of all the nations of the earth the most literary and the most enamoured of wit, we can easily understand how its writers became a political power and ended by being the first power in it.

While in England the writers on government mingled with those who governed, the latter introducing new ideas into practice, and the former correcting and moderating theories by the help of facts, in France the political world

was, so to speak, divided into two separate and disconnected provinces. One set of people did the actual administration; another set laid down the abstract principles, on which all administration ought to be founded; one set took the particular measures indicated by routine; the other set proclaimed general laws without ever thinking of the means to apply them; one set had the conduct of affairs; the other set, the control of mind.

Above the actual society, of which the constitution was still traditional, confused, and irregular, in which the laws remained diverse and contradictory, there gradually was built up an imaginary society, in which everything appeared simple and co-ordinated, uniform, equitable, and in harmony with reason.

Gradually, the imagination of the crowd deserted the first to take refuge in the second. They became disinterested in that which was, in order to dream of that which could be, and they lived finally in spirit in that ideal city, which the writers had created.

Our Revolution has often been attributed to that of America; the latter had in truth much influence on the French Revolution, but that influence was less due to what was actually done in the United States than to what was thought about it at the same time in France. Whilst to the rest of Europe the American revolution was still nothing but a new and singular fact, to us it only rendered more obvious and more striking what we thought we already knew. Elsewhere it astonished; here it secured conviction. The Americans seemed only to have executed what our writers had conceived; they gave the substance of reality to what we were in process of dreaming. It was as though Fénelon had suddenly found himself at Salentum.

This circumstance, so novel in history, of the whole political education of a great people being entirely conducted by men of letters, was that which contributed most perhaps to give to the French Revolution its peculiar character and to produce the results we see.

The writers furnished not merely their ideas to the people who made it, but also their temperament and disposition. As the result of their long education, in the absence of any other instructors, coupled with their profound ignorance of practice, all Frenchmen from reading their books finally contracted the instincts, the turn of mind, the tastes and even the eccentricities natural to those who write. To such an extent was this the case that, when finally they had to act, they transported into politics all the habits of literature.

A study of the history of our Revolution shows that it was conducted precisely in the same spirit, that has caused so many abstract books to be written on government—the same attraction for general theories, complete systems of legislation, and exact symmetry in the laws; the same contempt for existing facts; the same confidence in theory the same taste for the original, the ingenious and the novel, in institutions; the same desire to rebuild at once the entire constitution according to the rules of logic and on a single plan, in place of trying to amend it in its parts. Terrifying spectacle! for what is a merit in the writer is sometimes a vice in the statesman, and the very things, which have often led to the production of fine books, can lead to great revolutions.

The language of politics itself then took something of the style adopted by the authors; it was stocked with general expressions, with abstract terms, with pretentious words, with literary turns. This style, with the assistance of political passions which used it, made its way into all classes and descended with singular ease right to the lowest. Long before the Revolution the edicts of King Louis XVI often spoke of natural law and of the rights of man. I find peasants who in their petitions call their neighbours, 'fellow-citizens,' the Intendant, a 'respectable magistrate'; the curé of the parish 'the minister of the altar'; and the good God 'the Supreme Being.' They only want a knowledge of spelling to become rather poor writers.



These new qualities became so thoroughly incorporated with the old basis of the French character that often our nature has been credited with that, which was only the product of this singular education. I have heard it stated that the affection for, or rather the toleration we have shown for sixty years towards general ideas, systems, and grand words, in the political sphere belonged to some quality peculiar to our race, to what was called with a little emphasis the 'French spirit'; as if this pretended attribute could have appeared all at once towards the end of the eighteenth century, after having concealed itself during all the rest of our history!

The singular thing is that, while we have almost entirely lost our ancient love for literature, we have retained the habits we derived from literature. I have often been astonished in the course of my public life at the sight of men, who have scarcely read any books of the eighteenth century or indeed of any other and have strongly expressed their contempt of authors, and yet retain so faithfully some of the worst faults created by the literary spirit before they were born.

## CHAPTER II

*How irreligion had become a general and dominant passion among the French of the eighteenth century, and what influence this had on the character of the Revolution.*

Since the great revolution of the sixteenth century in which the spirit of criticism had undertaken to determine between the different Christian traditions, which were false and which were true, there had never ceased to appear minds more curious or more bold, which had contested or rejected them altogether. The same spirit, which in the time of Luther had caused many millions at once to leave the fold of Catholicism, pushed some isolated Christians every year outside Christianity itself; heresy was succeeded by unbelief.

Speaking generally, it may be said that in the eighteenth century Christianity had lost a great part of its power in all the continent of Europe; but in most countries it was rather ignored than violently attacked; even those, who abandoned it, left it, so to speak, with regret. Irreligion spread among the princes and the fine wits; it hardly touched as yet the middle classes and the common people; it remained the eccentricity of certain minds, not a common opinion. 'It is a mistake commonly spread throughout Germany,' said Mirabeau in 1787, 'that the Prussian provinces are full of atheists. The truth is that, though some free-thinkers are met with, the people there are as much attached to religion as in the most devout countries, and among them are even a great number of fanatics.' He added that it was a great matter for regret that Frederic II did not authorize the marriage of the Catholic priests and especially refused to allow those who married to

retain the revenue of their ecclesiastical benefices, 'a measure,' said he, 'that we would have dared to think worthy of that great man.' Nowhere but in France had irreligion become a passion, general, ardent, intolerant, and oppressive. There a state of things presented itself, such as never before had happened. In other times established religions had been attacked with violence, but the passion shown against them had always had its origin in the zeal inspired by new religions. The false and detestable religions of antiquity had themselves only numerous and passionate adversaries, when Christianity appeared to supplant them; till then they were gently and quietly dying in doubt and indifference; it is the death of religion from old age. In France the Christian religion was attacked with a kind of fury without any attempt even being made to put a new religion in its place. Passionate and continuous labour was expended to take away from souls the faith which had filled them; and the souls were left empty. A multitude of men showed fiery zeal in this ungrateful task. Absolute unbelief in the matter of religion, which is so contrary to the natural instincts of man and puts his soul in such a grievous state, appeared attractive to the crowd. That, which had hitherto produced merely an unhealthy languor, gave birth on this occasion to fanaticism and the spirit of propaganda.

The coincidence of several great writers disposed to deny the truths of the Christian religion does not seem sufficient to account for such an extraordinary event; for why did all these writers turn their abilities in this direction rather than any other? Why did no one of them think of supporting the contrary thesis? And finally, why did they find, more than all their predecessors, the ear of the crowd quite open to listen to them, and their minds inclined to believe them? Only causes very peculiar to the time and country of these writers can explain their enterprise and especially their success. The spirit of Voltaire had long been in the world, but Voltaire himself could hardly in

fact have become supreme except in the eighteenth century and in France.

Let us recognize, to begin with, that the Church was no more open to attack in France than elsewhere. The vices and abuses attaching to it were, on the contrary, less than in most Catholic countries; it was infinitely more tolerant than it had ever hitherto been, and than it was still in other nations. Therefore the peculiar causes of the phenomenon must be sought for, much less in the state of religion than in the condition of society.

To understand this we must never lose sight of what I said in the preceding chapter, namely; that all the spirit of political opposition engendered by the vices of government, unable to find an opening in action, had taken refuge in literature, and that the writers had become the true leaders of the great party which had as its aim to overthrow all the social and political institutions of the country. If this is well grasped, the question is altered. It is not a matter of knowing how the Church of that time went wrong as a religious institution, but in what way it formed an obstacle to the political revolution, that was preparing, and why it was especially obnoxious to the writers who were its chief promoters.

The Church, in the very principles of its government, was hostile to those principles which they wished to make prevail in civil government. The Church rested principally on tradition; they professed a great contempt for all institutions founded on respect for the past; it recognized an authority superior to the individual reason; they only appealed to that very reason; it was founded on a hierarchy; they aimed at a merging of all ranks. To arrive at an understanding, both sides would have had to recognize that political society and religious society, being by nature essentially different, cannot be regulated by similar principles. But that was very far from being grasped in those days; in order to attack the institutions of the State it was thought necessary to destroy those of the

Church, which served them as a foundation and as a model.

The Church besides was then herself the first of the political powers, and the most hated of them all, though not the most oppressive; for she had become mixed up with them, though not called thereto by her vocation or her nature; she often sanctioned in them vices, which she blamed elsewhere; she covered them with her own sacred inviolability, and seemed to wish to render them immortal like herself. An attack on her was sure to be in harmony with popular passion.

But apart from these general reasons, the writers had more particular and, so to speak, personal reasons for directing their first attack on her. The Church represented precisely that part of the government which was the nearest and the most directly opposed to themselves. Other powers were only felt by them from time to time; but the Church, having it as a special duty to watch over the march of thought and act as censor over writings, annoyed them daily. In defending against the Church the general liberties of the human mind they fought their own battle and began by breaking the fetters which bound themselves most tightly.

Further, the Church appeared to them to be the most open and least defensible side of all the vast edifice that they were attacking, and so, in fact, it was. Its power had grown weaker at the same time as the power of the temporal princes had increased. After having been at first their superior, then their equal, its position had been reduced to that of their client; between the two there had been established a sort of exchange; they lent the Church material force, the Church lent them its moral authority; they secured obedience to the precepts of the Church; the Church caused their will to be revered. A dangerous interchange, when times of revolution draw near, and always dangerous to a power founded not on constraint but on belief.

Although our kings were still called the Eldest Sons of

the Church, they acquitted themselves of their obligations towards it in a very negligent fashion; they showed much less keenness to protect it, than they employed to defend their own government. They did not allow, it is true, anyone to raise his hand against her, but they allowed her to be pierced from afar by a thousand missiles.

This half-constraint then imposed on the enemies of the Church, instead of diminishing, increased their power. There are times when the persecution of writers succeeds in arresting the movement of thought, but there are other times when it precipitates it. But there has never been a time, in which the sort of restriction then exercised on the press has not increased its power a hundredfold.

The authors were only persecuted to a degree that won them sympathy, not to a degree that made them tremble; they suffered that kind of annoyance which spurs men to fight, not that heavy yoke which crushes. The persecutions of which they were the object, were almost always slow, noisy and vain, and seemed to have as their aim not to detain them from writing, but rather to excite them to it. A complete liberty of the Press would have been less damaging to the Church.

'You think our intolerance,' wrote Diderot to David Hume in 1768, 'more favourable to the progress of mind than your unlimited liberty; d'Holbach Helvetius, Morellet, and Suard are not of your opinion.' It was, however, the Scotchman who was right. The inhabitant of a free country, he had its experience. Diderot judged the matter as a man of letters, Hume as a politician.

I stop the first American I meet in his own country or elsewhere, and I ask him if he thinks that religion contributes to the stability of the laws and to the good order of society; he answers without hesitation that a civilized society, but especially a free society, cannot exist without religion. In his eyes respect for religion is the greatest guarantee for the state's stability and the security of individuals. That at least is known to those least versed

in the science of government. Yet there is no country in the world in which the boldest doctrines of eighteenth-century philosophy in the sphere of politics are more completely put into operation than in America. Anti-religious doctrines alone have been unable to make headway even with the advantage of the unlimited freedom of the Press.

I would say the same of the English. Our anti-religious philosophy was preached to them or ever the most of our philosophers saw the light of day. It was Bolingbroke who succeeded in setting up Voltaire. During the whole course of the eighteenth century unbelief had its celebrated representatives in England. Clever writers, profound thinkers, took the cause in hand; they were never able to make unbelief triumph as in France, because all those, who had anything to fear from revolution, hastened to come to the rescue of established beliefs. Even those among them, who were most in touch with contemporary French society and did not regard as false the doctrines of our philosophers, rejected them as dangerous. Great political parties, as always happens in free countries, found their interest in uniting their cause with that of the Church; Bolingbroke himself became the ally of the bishops. The clergy themselves, animated by these examples and not feeling themselves deserted, fought energetically in their own cause. The Church of England notwithstanding the defect of its constitution and all kinds of abuses which swarmed within its bosom, sustained the shock victoriously; writers, orators, sprang from its ranks and advanced with ardour to the defence of Christianity. Theories hostile to Christianity after discussion and refutation were finally rejected by the effort of society itself without any intervention of government.

But why seek examples outside France itself? What Frenchman to-day would dream to-day of writing the books of Diderot or of Helvetius? Who would read them? I would almost say, who knows their titles? The incomplete experience of public life which we have acquired during the

last sixty years has been sufficient to give us a distaste for this dangerous literature. See how respect for religion has gradually regained its rule over the different classes of the nation, just as each of them acquired this experience in the hard school of revolutions. The old nobility, before '89 the most irreligious class, became the most devout after '93; the first attacked, it was the first saved. When the middle class felt itself struck down in its triumph, it felt its way in its turn towards belief. Little by little, respect for religion penetrated to every place, where men had anything to lose by popular disorder, and disbelief disappeared or at least hid its head, as the fear of revolution was felt.

This was not at all the case at the end of the 'old order.' We had so completely lost practical experience of great human interests, and we were so wholly ignorant of the part taken by religion in the government of nations, that agnosticism first established itself in the minds of those very people, who had the most personal and the most pressing interest to keep the state in order and the people in obedience. Not only did they welcome it, but in their blindness they spread it below them; they turned impiety into a sort of pastime of their idle life.

The Church of France hitherto so rich in great orators, feeling itself thus deserted by all those, who ought to have been attached to its cause by a common interest, became mute. For the moment it might have been thought that, provided it were left with its riches and its 'blue blood,' it was ready to condemn its own beliefs.

Those who denied Christianity raising their voice, and those who still believed keeping silence, a state of things followed that has often since occurred among us not only in the sphere of religion but in every other kind of sphere. Men who retained their old faith were afraid of being alone in their fidelity to it, and fearing isolation more than error, joined the crowd without sharing its thought. That which was still only the sentiment of a part of the nation appeared



thus to be the opinion of all, and seemed henceforth irresistible in the eyes even of those who gave it this false appearance.

The universal discredit into which all religious beliefs fell at the end of the eighteenth century exercised without doubt the greatest influence on the whole course of our Revolution; it distinguished its character. Nothing contributed in a greater degree to give to its aspect that terrible expression which it bore.

When I try to disentangle the different effects which irreligion at that time produced in France, I find that it was far more by deranging men's minds than by degrading their hearts or even by corrupting their morals that it disposed men of that period to go to such singular excesses.

When religion deserted their souls, it did not leave them, as so often happens, empty and enfeebled. They found themselves for the time being filled by sentiments and ideas, which for the time replaced it and did not at first allow them to collapse.

If the French, who made the Revolution, were more incredulous than we in the matter of religion, they had, at any rate, one admirable belief which we to-day have not. They believed in themselves. They had no doubt about the perfectibility and the power of man, they were passionate enthusiasts for his glory, they had faith in his virtue. They put that proud confidence in their own strength, which often leads to error, but without which a people is only capable of servitude; they never doubted their call to transform society and to regenerate mankind. These sentiments and these passions had become to them a kind of new religion, which, producing some of the grand effects which religion has been known to produce, drew them away from individual selfishness, impelled them to heroism and sacrifice and rendered them often insensible to all those petty comforts, by which we of the present day are possessed.

I have made a great study of history, and I dare to

assert that I have never come across a revolution, in which there were seen at the start in as great a number of men a more sincere patriotism, more unselfishness, more true grandeur. The French nation then showed the principal defect but also the principal merit of youth, inexperience but also generosity. Irreligion, however, then produced an enormous public evil. In most of the great political revolutions, which had up to that time appeared in the world, those who attacked the established laws had respected beliefs, and in most of the religious revolutions those who attacked religion had not undertaken with the same stroke to change the nature and the order of all powers and to overthrow from its foundations the ancient constitution of government. There had then always been in the greatest upheavals of society some one point which had remained fixed.

But in the French Revolution, religious laws having been abolished at the same time that civil laws were overthrown, the mind of man entirely lost its bearings; it no longer knew what to cling to, or where to stop; revolutionaries of an unknown kind made their appearance, who carried their audacity to the limit of madness; men, whom no novelty could surprise, no scruple could detain; men, who never hesitated before the execution of any design whatever. Nor must it be thought that these strange beings were the isolated and ephemeral creation of a moment fated to pass away with it; they have since formed a race, which has perpetuated itself and spread into all the civilized parts of the world, which has everywhere retained the same features, the same passions, the same character. We found it in the world at birth; it is still before our eyes.

## CHAPTER III

### *How the French sought reform before seeking liberty.*

**I**t is worthy of note that among all the ideas and all the feelings, which prepared the Revolution, the idea and the taste for public liberty properly so-called were the last to present themselves and the first to disappear.

For a long time past the old edifice of government had begun to shake; it already tottered, while as yet the question of liberty had not been raised. Voltaire hardly thought of it; three years of residence in England had shown it to him without making him love it. The sceptical philosophy freely preached in England filled him with rapture; the political laws of England left him cold; he noted their defects rather than their virtues. In his letters on England—one of his masterpieces—Parliament is hardly mentioned; the truth was that he specially envied the English for their literary freedom, but was indifferent to their political freedom, as if forsooth the first could ever exist for long without the second.

Towards the middle of the century a number of writers appeared, who specially discussed questions of political administration and, owing to several similar principles were given the common name of *Economists* or *Physiocrats*. The Economists have made less stir in history than the philosophers—less stir than that to which they were perhaps entitled for their contribution to the coming of the Revolution. I think, however, that its true nature can best be studied in their writings. The philosophers in the sphere of government hardly went outside very general and very abstract ideas; the Economists without ignoring theory came down nearer to the facts. The former drew

an imaginary picture, the latter sometimes indicated what might be done. All the institutions, which the Revolution was to abolish irretrievably, were the particular object of their attack; not one of them found favour in their sight. All those on the contrary, which pass for the special work of the Revolution, were announced by them in advance and preached with enthusiasm; hardly one of them could be cited, of which the seed was not sown in one of their writings; all that is most substantial in the Revolution was found in their works.

Nay, more, that revolutionary and democratic temperament, so familiar to us, was already to be found in their books; they not only hated specified privileges, diversity itself was hateful to them; they adored equality even in servitude. Anything that impeded them in their plans was fit only to be broken. Contracts inspired them with little respect; for private rights they cared nothing; or rather, to speak correctly, private rights in their eyes no longer existed, but public utility alone. They were, however, generally speaking, men of gentle and tranquil manners, people well-to-do, worthy magistrates, able administrators, but the spirit peculiar to their work carried them forward.

The past was for the Economists the object of boundless contempt. 'The nation has been governed for centuries on false principles; everything seems to have been done at haphazard,' said Letronne. Starting from this idea, they set themselves to work; there was no institution, however old or however well established in our history, of which they did not demand the abolition, if ever so little it inconvenienced them or hurt the symmetry of their plans. One of them proposed to destroy outright all the ancient territorial divisions and to change all the names of the provinces forty years before the Constituent Assembly carried out the work.

They had already conceived the idea of all the social and administrative reforms effected by the Revolution before the thought of free institutions had begun to make

its way into their minds. They were, it is true, very favourable to the free exchange of commodities to *laissez-faire* and *laissez-passer* in commerce and industry; but as to political liberties properly so-called, they did not dream of them, and even when by chance they occurred to their imagination they at first repelled them. Most of these writers began by showing great hostility to deliberative assemblies, to local and secondary powers, and in general, to all those counter-poise, which have been established at different times among all free peoples as a check to the central power. 'The system of checks,' said Quesnay, 'in a government is a deadly idea.' 'Speculations in which a system of counter-checks has been imagined are chimerical,' said a friend of Quesnay.

The sole guarantee imagined by them against the abuse of power was public education; for, to quote Quesnay once more, 'despotism is impossible if the nation is enlightened.' 'Struck by the evils caused by abuse of authority,' said another of his disciples, 'men have invented thousands of useless remedies and have neglected the only one that is really efficacious, that is to say, public general continuous instruction in the essence of justice and in the natural order.' It was this trifling literary gibberish which was intended by them to replace all political guarantees.

Letronne deplored bitterly the state of abandonment in which the government left the country districts; he shows them to us without roads, without industry, without enlightenment; yet it never occurred to him that their affairs could have been better managed if they had been entrusted to the inhabitants themselves.

Turgot himself, whose grandeur of soul and rare qualities of genius should place him far above all the others, had not much more than they the taste for political freedom, or, at any rate, the taste only came to him later when prompted by public sentiment. He, like most of the Economists, held that the chief political guarantee was a particular public instruction given by the State on prescribed lines

and in a prescribed spirit. The trust which he placed in this sort of intellectual drug, or as one of his contemporaries called it in 'the mechanism of an education harmonized to principles' was boundless. 'I dare to reply to you, Sir,' he said in a Memoir, in which he proposed to the king a plan of this sort, 'that in ten years time your people will have changed out of all recognition; by their intelligence, their good manners, their enlightened zeal for your service and that of the fatherland, they will be infinitely superior to all other nations. Children, who are now ten years old, will then be men ready for the service of the State, devoted to their country, submissive not from fear but from reason to authority, eager to help their fellow-citizens, accustomed to recognize and to respect justice.'

Political liberty had been so long destroyed in France that its conditions and its effects had been almost entirely destroyed. Nay, more, the formless ruins of it, which still remained, and the institutions, which seemingly had been established to take its place, rendered it suspect and often raised prejudices against it. Most of the provincial assemblies which still existed, retained with out-of-date forms the spirit of the Middle Ages, and far from aiding, impeded the progress of society; the Parlements, which alone attempted to fill the place of political bodies, could not hinder the mischief which the Government did, and often hindered the good which it wished to do.

The idea of accomplishing the revolution which they conceived, with the help of all these obsolete instruments appeared to the Economists impracticable; the idea of entrusting the execution of their plans to the nation, become its own mistress, hardly appealed to them; for how could a whole people be made to adopt and follow a system of reform, so vast and so closely interconnected in its parts? It seemed to them more easy and more timely to make the royal administration itself carry out their plans.

This new power had not issued from the institutions of

the Middle Ages; it bore no mark of them; amid its defects they discovered certain good leanings. Like them it had a natural preference for equality of conditions and for uniformity of law; like themselves it profoundly hated all the ancient powers, sprung from feudalism or tending towards aristocracy. The rest of Europe would be ransacked in vain for a machine of government so well established, so great and so strong; to discover such a government among us seemed to them a singularly happy circumstance; they would have called it providential, if it had been the fashion as it is to-day to assign everything to Providence. 'The situation of France,' said Letronne, 'is infinitely better than that of England; for here reforms, changing the whole state of the country, can be accomplished in a moment, whereas in England such reforms can always be blocked by the party system.'

It was not a question then of destroying this absolute power but of turning it to use. 'The State must govern according to the rules of essential order,' said Mercier de la Rivière, 'and, when it does so, it must be omnipotent.' 'Let the State properly understand, its duty,' said another, 'and then let it be free.' From Quesnay to the abbé Bodeau you will find them all of the same temper.

They did not merely reckon on the royal administration for reforming the society of their own age; they borrowed from it in part the idea of the future government which, they wished to found. It was by looking at the one that they framed a picture of the other.

The State, according to the Economists, has not merely to command the nation but to fashion it in a certain mould; it is for it to form the mind of the citizens on a certain predetermined model; its duty is to fill the citizen mind with certain ideas and to furnish their heart with certain feelings judged by it to be necessary. The truth is that there are no limits to its rights, no bounds to what it can do; it does not merely reform men, it transforms them; it will be perhaps its function alone to make them other than they are! 'The

State,' said Bodeau, 'makes men just what it wishes.' That saying sums up all their theories.

This unbounded social power, of which the Economists dreamed, was not only greater than any which they actually had before their eyes; it differed from them further in its origin and character. It did not flow directly from God; it was not attached to tradition; it was impersonal; it was not called the King, but the State; it was not the inheritance of a family; it was the product and representative of all and was entitled to make the right of each yield to the will of all.

That particular form of tyranny known as Democratic Despotism, of which the Middle Ages had not an idea, was already familiar to them. No grades in society, no classes distinct, no fixed ranks; a people composed of individuals almost alike and wholly equal, this confused mass recognized as the only legitimate sovereign, but carefully deprived of all the means which would enable it to direct or even to superintend its own government. Above it a sole mandatory charged to do everything in its name without consulting it. To control the mandatory, public reason without any organs; to stop it, revolutions but no laws; in point of right a subordinate agent, in reality a master.

Not finding anything about them, which seemed to conform to their ideal, they went to search for it in the heart of Asia. It is no exaggeration to say that everyone of them in some part of his writings passes an emphatic eulogy on China. This at least is sure to be met with in their books; and, as China was still very badly known, there is no sort of nonsense to which they do not treat us concerning it. That imbecile and barbarous government, over which a handful of Europeans domineers at will, appeared to them the most perfect model for all the nations of the world to copy. It was for them what later on England and finally America became for all Frenchmen. They were moved with rapture at the vision of a country in which the sovereign, absolute but free from prejudices, turns up the



soil once a year with his own hands as a mark of honour to the useful arts; in which all offices are obtained by written examinations; which has for religion only a philosophy, and for an aristocracy only men of letters.

It is thought that the destructive theories named in our own days as Socialism are of recent origin; this is a mistake; these theories are contemporary with the first Economists. Whilst the Economists were for using the omnipotent government of their dreams to change the forms of society, others in imagination laid hands on the same power to destroy its foundations.

In the *Code of Nature* by Morelly will be found with all the doctrines of the Economists on the omnipotence of the State and on its unlimited rights several of the political theories, which have most frightened France in these later days—theories, of which we imagine that we have witnessed the birth—community of goods, the right to work, absolute equality, uniformity in everything, mechanical regularity in all the movements of individuals, regulative tyranny, and the complete absorption of the personality of the citizen in the social body.

‘Nothing in society shall belong in particular ownership to anyone,’ says the first article of this code. ‘Private property is detestable; the man, who will attempt to re-establish it, shall be shut up for life as a madman and the enemy of mankind. Every citizen will be supported, maintained, and employed at the expense of the public,’ says article two. ‘All products will be collected in public magazines to be distributed to all citizens and supply the needs of life. Towns will be built on the same plan; all houses for the use of individuals will be alike. At five years old all children will be removed from the family and brought up communally at the expense of the State in a uniform manner.’ Do you think this book was written yesterday? It is 100 years old; it appeared in 1755, the very time in which Quesnay founded his school; so true it is that centralization and socialism are products of the same

soil. They are to each other what the wild fruit is to the cultivated fruit.

Of all the men of their age the Economists would appear the least out of their element in our own time; their passion for equality was so decided, and their passion for liberty so uncertain, that they have a fictitious air of being our contemporaries. In reading the speeches and the writings of the men who brought about the Revolution I feel at once transported to a place and a social atmosphere that I do not know; but, when I peruse the books of the Economists, I am under the illusion that I have lived with them and have just been talking to them.

About 1750 the whole nation would not have shown itself more exigent in the matter of political liberty than the Economists themselves; with the loss of the thing itself they had lost the desire and even the very idea of it. They wanted reforms rather than rights and, if there then had been upon the throne a prince of the stature and the character of Frederic the Great, I am sure that he would have accomplished in society and government many of the greatest changes effected by the Revolution not only without losing his crown but with a great increase of his own power. It is confidently stated that one of Louis XV's ablest ministers, M. de Machault, had a glimpse of this and pointed it out to his master; but such enterprises are not the product of another's advice. It is only the man capable of conceiving such an enterprise that can carry it out.

Twenty years later the state of things was different; the vision of political liberty had presented itself to the mind of Frenchmen and became to them every day increasingly attractive. This can be seen from many signs. The provinces began to conceive the desire of once more administering their own affairs. The idea that the whole nation had the right to take part in its own government penetrated to and got possession of their minds. The remembrance of the old States-General was revived. The nation, which detested its own history, only recalled with pleasure this part of it.

The new current carried the Economists themselves along with it, and forced them to encumber their unitary system with some free institutions.

When in 1771 the Parlements were destroyed, the same public, which had so often been made to suffer from their prejudices, was profoundly moved by their fall. It seemed as though with them had fallen the last barrier that could yet restrain the royal absolutism.

This opposition astonished and angered Voltaire. 'Almost the whole kingdom is in a state of effervescence and consternation,' wrote he to his friends, 'the ferment is as great in the provinces as in Paris itself. The edict, however, seems to me to be full of useful reforms. To destroy the sale of offices, to make justice gratuitous, to forbid the coming of suitors to Paris from the ends of the kingdom at a cost ruinous to themselves, to make the King responsible for defraying the expense of seignorial justice—are not these great services rendered to the nation? These Parlements besides, have they not often been persecuting and barbarous? Indeed, I am astonished at the ignoramuses taking the part of these insolent and intractable middle-class men. For myself, I think that the king is right and, since it is necessary to serve, I think it better to do so under a lion of good pedigree, born far stronger than I, than under two hundred rats of my own kind.' And he adds by way of excuse: 'Note that I must feel infinitely obliged for the favour which the king has shown to all lords of lands in defraying the expenses of seignorial justice.'

Voltaire, who had been absent from Paris for a long period, thought that public opinion still remained at the same point at which he had left it. That was not the case. Frenchmen no longer limited themselves to the desire that their affairs should be better managed; they began to wish to manage their own affairs, and it was clear that the great Revolution, for which everything was preparing, was going to be effected not only with the consent but also by the hands of the people.

I think that from this moment the radical revolution, which was to confound in a common ruin all that was worst and all that was best of the 'old order' in a common ruin, was inevitable. A people so badly prepared to act by itself could not undertake to reform everything at once without destroying everything. An absolute prince would have been a less dangerous innovator. For myself, when I reflect that this same revolution, which on the one hand has destroyed so many institutions, ideas, and habits inimical to liberty, has on the other hand abolished so many others with which freedom can hardly dispense, I incline to the belief that, had it been accomplished by a despot, it would perhaps have left us more qualified to become one day a free nation, than effected as it was in the name of the sovereignty of the people and by the people.

The facts just stated must never be lost from view, if the history of our Revolution is to be understood.

When the love of Frenchmen for political liberty was reawakened, they had already conceived in the matter of government a certain number of ideas, which not merely did not easily harmonize with, but were almost contrary to the existence of free institutions. They had accepted as the ideal of a social order a people with no other aristocracy than that of public officials, a sole and omnipotent administration director of the State and guardian of individuals. Though wishing to be free, they did not intend to depart from their original idea; they merely tried to reconcile it with that of liberty.

They undertook therefore to combine an unlimited central administration with a preponderant legislative body: the administration of a bureaucracy with the government of electors. The nation as a body had all the rights of sovereignty, each citizen as an individual was confined in the strictest dependence; from the one was demanded the experience and the virtues of a free people; from the other the qualities of a good servant.

It was this desire to combine political liberty with

institutions and ideas alien or contrary to it, but already established in our habits or our tastes, that for sixty years past has produced so many attempts at free government followed by so many destructive revolutions: till at last, fatigued by so many efforts, disheartened by such laborious and such barren toil, many Frenchmen abandoning their later for their first aim came back to the view that to live equal under a master had, after all, a certain charm. That is why we are infinitely more similar to-day to the Economists of 1750 than to our fathers of 1789.

I have often asked myself what is the source of that passion for political liberty, which in every age has caused men to achieve the greatest results ever accomplished by man; in what feelings does it take root and gain nourishment.

I see quite well that, when people are badly ruled, they readily conceive the desire to govern themselves; but this kind of love of freedom, which only takes its birth from certain particular and transient evils produced by despotism, is never durable; it passes with the accident which gave it birth; what was thought to be a love of liberty is found to be only hatred of the particular master. What people made for liberty hate is the mere evil of dependence on any master.

I no longer think that the true love of liberty is ever born from the mere view of the material comforts that it secures; for this view is often darkened. It is very true that in the long run, liberty always brings to those who know how to retain it, ease, comfort, and often riches; but there are occasions, when for the time being, it disturbs the enjoyment of these blessings; there are other occasions, in which despotism alone can give the transient enjoyment of them. Men who only prize liberty for these blessings have never long preserved it.

That which in all ages has so strongly attached to it the hearts of certain men is its own attractions, its own charm, quite apart from any material advantages; it is the joy of being able to speak, to act, to breathe, without restraint

under no sovereign but God and the law. He who desires in liberty any thing other than itself is born to be a servant. Certain nations pursue it obstinately through all kinds of peril and misfortune. It is not for the material blessings, which it brings, that they love it; they regard liberty itself as a blessing so precious and so necessary, that no other good could console them for its loss, and with its enjoyment they console themselves for the loss of everything else. Others grow weary of it in the midst of their material prosperity; they let it be snatched from their hands without resistance in fear of risking by an effort the very well-being, which they owe to it. What is wanting to these last to remain free? Why? The very desire for freedom. Do not ask me to analyse this grand passion; it is necessary to experience it. It enters of itself into those great souls, which God has prepared to receive it; it fills them, it sets them on fire. It is impossible to make those mean souls understand who have never felt it.

#### CHAPTER IV

*The Reign of Louis XVI the most prosperous period of the Old Monarchy and how this very prosperity hastened the Revolution.*

**I**t cannot be doubted that the exhaustion of the kingdom under Louis XIV began in the very period, in which this prince was triumphing over the whole of Europe. The first symptoms of the decline are found in the most glorious years of the reign. France was ruined long before it had ceased to conquer. Who has not read that appalling monograph on administrative statistics bequeathed to us by Vauban? The Intendants in the Memoirs, which they addressed to the Duke of Burgundy at the end of the seventeenth century, before ever the unfortunate war of the Spanish Succession began, one and all alluded to this progressive decline of the nation, and did not speak of it as a very recent fact. 'The population has greatly decreased in this district for a number of years past,' said one; 'This town, formerly rich and flourishing, is to-day without any industry,' said another; one man writes, 'There were formerly manufactures in this province, but to-day they have been abandoned'; another writes, 'The inhabitants formerly obtained much more from the soil than they do at present; agriculture was infinitely more flourishing twenty years ago.' 'Population and production have diminished by one-fifth these last thirty years,' said an Intendant of Orleans about the same time. The reading of these Memoirs should be recommended to those who esteem highly absolute government and princes who delight in war.

As the distress was chiefly due to the vices of the constitution, the death of Louis XIV and the peace itself did not

lead to the rebirth of national prosperity. There was agreement among all those, who wrote on the administration or on the social economy during the first half of the eighteenth century, that the provinces had not recovered; many even thought that they were continuing on the road to ruin. Paris alone, they said, grows richer and larger. Intendants, ex-Ministers, business men, were on this point in accord with men of letters.

Personally I do not believe in this continuous decline of France during the first half of the eighteenth century; but an opinion so general, shared by such well-informed people proves at least that no visible progress was then being made. All the administrative documents referring to this period of our history, that have come before my eyes, remark indeed a kind of lethargy in society. The government merely revolved in the circle of its old routine without creating anything new; the towns made hardly any effort to make the condition of their inhabitants more comfortable and more healthy; even individuals did not attempt any considerable enterprise.

About thirty or forty years before the Revolution broke out, the aspect of things began to change; there then can be discerned, I think, in all parts of the social body a kind of internal tremor, not till that time remarked. Only a very attentive examination can reveal its first beginnings; but gradually it became more characteristic and more distinct; every year this movement spread further and quickened its step; finally, the whole nation stirred and seemed to be reborn. But beware!! It is not its old life that is reanimated; the spirit, which moves this great body, is a new spirit; it only reanimates it for one moment before it dissolves it.

Each individual was agitated and disturbed about his own condition and made an effort to change it; the quest for improvement was universal, but the quest was impatient and fretful; it made men curse the past and imagine a state of things quite the opposite of that which was before their eyes.



Very soon this spirit penetrated into the heart of government itself; changing nothing external, it transformed it within; the laws were not changed but they were administered in a different way.

I have said elsewhere that the Controller-General and the Intendant of 1740 were quite unlike the Intendant and the Controller-General of 1780. The administrative correspondence shows the truth of this in detail. The Intendant of 1780 had, it is true, the same powers, the same agents, the same despotic control as his predecessor, but not the same aims; the former was scarcely concerned with anything but keeping his province in obedience, levying the militia, and above all collecting the *taille* in it; the latter had many other interests; his head was full of a thousand schemes intended to increase the national wealth. The roads, the canals; manufactures, commerce, are the principal objects of his thought; agriculture especially holds his attention. Sully then became the fashion among administrators.

It was in this period that men began to form the agricultural societies, which I have already mentioned, that they established competitions and awarded prizes. There were circulars from the Controller-General, which were more like treatises on the art of agriculture than official letters.

It was chiefly in the collection of the taxes that can best be seen the change, which operated in the mind of the governing class. The law was just as unfair, as arbitrary, and as harsh as it had been in the past, but all its evils were softened in its administration.

'When I began to study our fiscal laws,' said M. Mollien in his memoirs, 'I was appalled at what I found there; fines, imprisonments, corporal punishments, put at the disposal of special tribunals for simple acts of omission; revenue clerks, who held almost all properties and persons at the mercy of their oaths, etc. Happily I did not confine myself to the mere reading of this code of laws, and I soon had cause to recognize that between the text of the law and its administration there was the same difference as

between the manners of the old and those of the new financiers. The lawyers were always inclined to the minimizing of offences and the reduction of punishments.'

'To how many abuses and annoyances can the collection of taxes give rise,' said the provincial assembly of lower Normandy in 1787; 'we ought however to render justice to the mildness and to the consideration which have been shown for many years.'

The examination of documents fully justifies this statement. Respect for liberty and human life is often found in them; above all there is seen in them true concern for the sufferings of the poor; that had formerly been sought in vain. Acts of fiscal violence towards the unfortunate are rare, remissions of taxation more frequent, relief more commonly given. The king increases all the funds intended to create charity workshops in the country districts and to assist the indigent, and often he founds new ones. I find that more than 80,000 livres were distributed by the State in this maner in the district of Upper Guienne alone in 1779; 40,000 in 1784 in the district of Tours; 48,000 in that of Normandy in 1787. Louis XVI did not wish to leave to his Ministers alone this part of the government; he himself sometimes undertook it. When in 1776 an order of the Council fixed the compensation, which should be paid to the peasants, whose fields were devastated by the king's game in the neighbourhood of the royal hunting seats, and indicated the simple and sure method of securing the compensation, the king himself drew up the preamble. Turgot tells us that this good and unfortunate prince put the document in his hands with these words:—'You see that I too work.' If the 'old order' were painted in the shape it took during the last years of its existence, the portrait would be very flattering but untrue to facts.

As these changes were effected in the mind both of the governors and the governed, national prosperity developed with a speed that up to that time was unprecedented. Every sign announced it; population increased; wealth

increased still more rapidly. The American war did not slacken this movement; the State was involved in debt, but individuals continued to grow rich; they became more industrious, more enterprising, more inventive.

'Since 1774,' said a contemporary administrator, 'the development of the various kinds of industry had increased the amount of all the taxes on commodities.' When indeed the contracts made at different periods of the reign of Louis XVI between the State and the financial companies, which undertook the collection of the taxes, are compared with each other, it is seen that the price paid by the farmers of the taxes at each renewal is constantly raised with increasing rapidity. The farm of 1786 produced 14 millions more than that of 1780. 'It can be calculated that the product of all the taxes on commodities increases by two millions a year,' said Necker in the *balance-sheet* of 1781.

Arthur Young assures us that in 1788 Bordeaux did a larger trade than Liverpool; and, he adds, 'Latterly the progress of maritime commerce has been more rapid than in England itself; trade has doubled there in the last twenty years.'

Making allowance for the difference of the times, we may be certain that at no period following the Revolution did national prosperity develop more rapidly than during the twenty years which preceded it. Only the 37 years of constitutional monarchy, which were for us times of peace and rapid progress, can be compared in this matter to the reign of Louis XVI. The sight of this prosperity, already so great and so progressive, gives reason for astonishment, if all the vices still to be found in the government, and all the obstacles, that still impeded industry, are called to mind. Many politicians may even deny the fact, because they cannot explain it, thinking like the doctor of Molière that a patient cannot recover if he defies all the rules of medicine. How, in fact, is it possible to believe that France could prosper and grow rich with inequality of taxation, diversity of laws, internal custom-houses, feudal

rights, guilds, the sale of offices, etc.? In spite of all this France *did* begin to grow rich and to develop in every direction, because beside this badly constructed and badly-gearred machinery, which seemingly was calculated to arrest rather than to advance the social mechanism, there lay hidden two very simple and very powerful springs, which were already adequate to keep the whole together and make everything move towards the end of national prosperity—a government which, though ceasing to be despotic, remained very powerful and maintained order everywhere; a nation, which in its upper classes was already the freest and most enlightened on the continent, a nation in which every man could get rich in his own way, and keep his wealth when it was once acquired.

The King still used the tone of a master, but in reality he himself obeyed a public opinion, which inspired and impelled him every day—a public opinion, which he constantly consulted, feared, flattered; absolute by the letter of the law, limited by the way in which it was administered. In 1784 Necker said in a public document as an undisputed fact, 'Most foreigners have difficulty in conceiving the authority exercised in France to-day by public opinion; they have difficulty in understanding what this invisible power is, that is supreme even in the palace of the king. The fact is however so.'

Nothing is more superficial than to attribute the greatness and the power of a nation to the mere mechanism of its laws; for, in this matter the result is produced less by the perfection of the machine than by the strength of the propelling power. Look at England: how much more complicated, more diverse, more irregular, even to-day do its administrative laws appear than ours! But is there any single country in Europe, in which the national wealth is greater, private property is more extensive, more secure, more varied in character, society more settled and more wealthy? This result does not flow from the goodness of all the individual laws, but from the spirit which animates

the complete body of English legislation. The want of perfection in certain organs is no impediment, because its spirit throbs with life.

As the prosperity, which I have just described, developed in France, the minds of men seemed to become more unsettled and unquiet; public discontent grew bitter; the hatred of all ancient institutions went on increasing. The nation obviously marched towards a revolution.

Further, the parts of France, which were to be the principal centres of this revolution, were precisely those where progress was most visible. A study of the extant archives of the old district of the Île-de-France will clearly show that it was in the districts bordering on Paris that the 'old order' was soonest and most completely reformed. There the liberty and the fortune of the peasant were already more secure than in any other part of the *pays d'élection*. The personal *corvée* had disappeared long before 1789. The levy of the *taille* had become more regular, more moderate, more fair than in the rest of France. The regulation reforming the *taille* in 1772 must be read, if there is a wish to understand what at that date an Intendant could do for either the well-being or for the misery of a whole province. Viewed under this regulation the tax wears already a wholly different aspect. Commissioners of the government were to visit each parish every year; all the parishioners were assembled in their presence; the value of property was publicly established, the means of each man was determined after hearing both sides; the *taille* was finally assessed with the agreement of all those who had to pay it. The despotic power of the *Syndic*, useless acts of violence were no more. The *taille* no doubt retained all the vices inherent in it, whatever might be the system of collection; it only fell on one class of tax-payers, and struck their industry as well as their property; but in every other respect it differed profoundly from that which bore the same name in the surrounding districts.

Nowhere on the other hand, was the 'old order' more

completely retained than along the Loire towards its mouth, in the marshes of Poitou and on the moors of Brittany. But it was just there that the fire of civil war was kindled and kept alight and that the most violent and prolonged opposition was offered to the Revolution; it might therefore be said that the French found their position insupportable, just where it had become better.

Such a view is surprising, but all history is full of such wonders. It is not always by going from bad to worse that a society falls into revolution. It happens most often that a people, which has supported without complaint, as if they were not felt, the most oppressive laws, violently throws them off as soon as their weight is lightened. The social order destroyed by a revolution is almost always better than that which immediately preceded it, and experience shows that the most dangerous moment for a bad government is generally that in which it sets about reform. Only great genius can save a prince who undertakes to relieve his subjects after a long oppression. The evil, which was suffered patiently as inevitable, seems unendurable as soon as the idea of escaping from it is conceived. All the abuses then removed seem to throw into greater relief those which remain, so that their feeling is more painful. The evil, it is true, has become less, but sensibility to it has become more acute. Feudalism at the height of its power had not inspired Frenchmen with so much hatred as it did on the eve of its disappearing. The slightest acts of arbitrary power under Louis XVI seemed less easy to endure than all the despotism of Louis XIV. The brief imprisonment of Beaumarchais produced more commotion in Paris than the Dragonnades.

No one any longer claimed in 1780 that France was in decline; it would have been said on the contrary that at that time no limits could be set to her progress. It was then that the theory arose of the continuous and indefinite perfectibility of man. Twenty years before no hope for the future was felt; in 1780 there was no fear of it. Imagination,

taking hold in advance of this approaching and unheard-of felicity, made men insensible to the blessings they already enjoyed and hurried them forward to novelties of every kind.

Apart from these general reasons there were other causes of this phenomenon, more particular and no less powerful. Although the administration of the finances had been improved like everything else, it retained the vices which belong to the very nature of absolute government. As it was secret and unaudited, some of the worst practices were still followed, that had obtained under Louis XIV and Louis XV. The very efforts which the government made to develop public prosperity, the relief and the bounties which it distributed, the public works which it undertook, increased expenses every day without increasing receipts in the same proportion; this every day threw the king into still greater embarrassments than those of his predecessors. Like them he constantly kept his creditors waiting; like them he borrowed with both hands, without publicity and without competition, and his creditors were never sure of getting their interest; their capital itself was always at the mercy of the mere good faith of the prince.

A witness worthy of credit, for he had seen it with his own eyes and was in a better position than any one else for seeing it, said in this connection: 'The French at that time found nothing but risk in their dealings with their own government. Did they invest their capital in government loans, they never could count on any fixed date for the payment of the interest; did they build ships, repair roads, clothe troops, for the government; they remained without security for their advances, without any specified day for payment; they were reduced to calculate the chances of a contract with government as those belonging to a most risky loan.' And he adds with good sense: 'At this time, when the rapid advance of industry had developed in a greater number of men the love of property, the taste and the need of comfort, those who had entrusted a portion of

their property to the State suffered with the greater impatience the violation of the law of contracts by that debtor, who was most bound to observe it.'

The abuses, here thrown in the teeth of the French administration, were not in fact new; what was new was the impression they made. The vices of the financial system had even been much more crying in former days; but there had since been changes in government and society; which made men much more sensible to these vices than formerly. During the last twenty years, in which government had become more active and had undertaken every kind of enterprise of which formerly it had never dreamed, it had finally become the greatest consumer of the products of industry and the greatest employer of labour in public works that there was in the whole kingdom. The number of those who had money relations with it, who were interested in its loans, lived on its wages and speculated in its contracts, had enormously increased. Never had the fortune of the State and the fortunes of individuals been so closely interconnected. The mismanagement of the finances, which for long had been merely a public evil, then had become for a great number of families a private calamity. In 1789 the State thus owed nearly 600 millions to its creditors, who in their turn were almost all themselves debtors, and who, as a financier of the time stated, united with themselves in their indignation against the government all those who were in difficulties arising from the non-payment of debt by the government at the proper date. It must be further noted that as discontented people of this sort became more numerous, they also became more irritated; for the desire to speculate, the eagerness to grow rich, the love of material comfort, spreading and increasing with the expansion of business made such evils appear unendurable to those very people, who thirty years before would perhaps have endured them without complaint.

Hence it came about that the fundholders, the merchants, the manufacturers, and other men of business or finance,



who generally form the class that is most opposed to political innovations, the most friendly to the existing government whatever it may be, and the most submissive even to the laws, which it despises or detests, showed itself on this occasion the most impatient and the most resolute in the matter of reform. They particularly cried aloud for a complete revolution in the whole system of finance without reflecting that by profoundly disturbing this part of the government they would bring about the fall of all the rest. How could a catastrophe be avoided? On the one side a nation, within which the desire of making a fortune kept spreading day by day; on the other side, a government which continuously excited this passion, yet continuously harassed, inflamed, and drove the people to despair, thus thrusting on both sides towards its own ruin.

## CHAPTER V

*How the people were stirred to revolt by the wish to relieve them.*

As the common people had not for 140 years appeared for a single instant on the stage of public affairs, it was no longer thought possible that they could ever again be seen there; because they appeared insensible, they were thought to be deaf; so that, when interest began to be felt in their lot, it was the custom to speak about them in their presence, as if they were not there. Only those were thought to hear, who were placed above them; the only danger to be feared was not to be understood by these upper classes.

The people, who had most to fear the wrath of the lower classes, discussed aloud in their presence the cruel injustices, of which they had always been the victim; they showed each other the monstrous vices in the institutions, which were most oppressive to the people; they employed their rhetoric in painting the miseries of the lower classes and their badly rewarded toil; they filled them with fury, while striving thus to relieve them. I do not mean the writers, but the government, its principal agents, the privileged themselves.

When the king, thirteen years before the Revolution, tried to abolish forced labour, he said in his preamble: 'With the exception of a small number of provinces (the pays d'états) almost all the roads of the kingdom have been made by the unpaid labour of the poorest part of our subjects. The whole burden has therefore fallen on those who have nothing but their hands and are only interested in a very secondary degree in the roads; those really interes-

ted are the landowners, nearly all privileged persons, the value of whose property is increased by the construction of the roads. When the poor man is forced to maintain these roads alone, when he is forced to give his time and his work without pay, the only resource, which he has against misery and hunger, is taken from him to make him work for the profit of the rich.'

When at the same time an attempt was made to abolish the burdens imposed on the workers by the system of industrial corporations, it was proclaimed in the name of the king that 'the right to work is the most sacred of all properties; every law, which impinges on this, violates natural right and ought to be considered null *ipso facto*; the existent corporations are besides bizarre and tyrannical institutions, the product of selfishness, cupidity, and violence.'

Such language was in any case, dangerous. It was still more so to use it without result. Some months later the corporations and forced labour were re-established.

It was said that Turgot put such language into the mouth of the king. Most of Turgot's successors did not make him speak otherwise. When in 1780 the king proclaimed to his subjects that henceforth any increase in the *taille* would be submitted to public registration, he was careful to add as a commentary—'The payers of the *taille*, already harassed by the grievances attending the collection of the *taille*, have hitherto been exposed to unexpected increases in such a way that the taxes of the poorest part of our subjects have increased in a proportion much greater than all the rest.' When the king, not daring yet to equalize all burdens, undertook at least to establish equality of collection in the taxes common to all, he said:—'His Majesty hopes that rich people will not think themselves wronged when, put back to the common level, they will have to meet the charge, which long since they ought to have shared more equally with others.'

But it was especially in times of dearth that the aim

seemed to be rather to inflame the passions of the common people than to provide for their needs. An Intendant, to stimulate the charity of the rich, spoke of 'the lack of justice and feeling in those landowners who owed to the labours of the poor all that they possessed, and yet left them to die of hunger at the moment when they were exhausted from putting value into the rich man's property.' The king on his side said on a similar occasion:—'His Majesty wishes to defend his people against the manœuvres, which expose them to a lack of the prime necessities of life, forcing them to give their work in return for any wage, which it pleases the rich to give them. The king will not allow one part of his subjects to be handed over to the greed of the other part.'

Right up to the very end of the monarchy the conflict, which existed between the different administrative authorities, gave opportunity to manifold exhibitions of this kind; the two rival parties readily blamed each other for the misery of the common people. A good instance of this is seen in the quarrel, which broke out in 1772, between the Parlement of Toulouse, and the king with regard to the transport of corn. 'Owing to the mismanagement of government the poor man is in danger of dying from hunger,' said the Parlement. 'The ambition of the Parlement and the greed of the rich cause the public distress,' retorted the king. Thus, from both sides an effort was made to instil into the minds of the people that their superiors ought to be blamed for their misfortunes.

These things are not found in private correspondence but in public documents, which the government and the Parlement themselves took care to print and publish by thousands. Incidentally, the king addressed to his predecessors and himself very hard home-truths. 'The treasure of the State,' said he one day, 'has been encumbered by the extravagance of several reigns. Many of our inalienable domains have been granted away at a nominal price.' 'Industrial corporations,' on another occasion he was made

to say, with more reason than prudence, 'are especially the product of the fiscal greed of the kings.' 'If useless expense has often been incurred, and if the *taille* has been immoderately increased,' he remarked further, 'that has been because the Financial Board, finding the increase of the *taille* owing to its secrecy its easiest resource, resorted to it, though several other expedients would have been less onerous to our people.'

All this was addressed to the enlightened part of the nation, in order to convince it of the advantage of certain measures, to which particular interests took exception. As to the common people it was assumed that they heard without understanding.

It must be acknowledged that side by side with this goodwill, there survived a great fund of contempt for these miserable creatures, whose misfortunes there was so sincere a wish to relieve; we are reminded a little of the feeling of Madame du Châtelet who had no scruples (so we are told by the secretary of Voltaire) about undressing in the presence of her attendants, not regarding it as really proved that the lackeys were men!

Let it not be thought that it was only Louis XVI or his ministers, who used the dangerous language that I have just quoted; those privileged people, who were the nearest object to the popular wrath, did not express themselves in the presence of the common people in a different fashion. It ought to be recognized that in France the upper classes of society began to concern themselves with the lot of the poor, before the latter became the object of their fear; they interested themselves in the poor at a time, when they did not yet think that their own ruin was to be caused by the misfortunes of the poor. This became especially clear during the ten years which preceded '89; in that period the poor were often the object of pity; their condition was constantly discussed; methods for relieving them were investigated; the principal abuses, from which they suffered, were put in the limelight; the fiscal laws, which specially hurt them,

were denounced; but, generally speaking, the mode of expressing this new sympathy was as imprudent as the insensibility shown in the long preceding era.

Read the minutes of the provincial assemblies, which met in some parts of France in 1779, and later on throughout the kingdom; study the other public documents left by them, you will be touched by the kindly sentiments that are found in them, and surprised at the singular imprudence of the language used.

'It has too often been the case,' said the provincial assembly of lower Normandy, in 1787, 'that the money, intended by the king for the roads, only serves to increase the amenities of the rich without being of any use to the common people. It has been often used to make the approach to a castle more agreeable instead of improving the entrance to a town or village.' In this same assembly the Orders of the Nobles and of the Clergy, after describing the abuses of the forced labour, freely offered themselves alone 50,000 livres to the improvement of the roads in order, so they said, to make the roads of the province more practicable without their costing any more to the people. To substitute for the forced labour a general tax and to pay their share of it would, perhaps, have been a lighter burden for these privileged persons; but, while voluntarily surrendering the advantage they got from inequality of taxation, they preferred to retain its appearance. Abandoning that part of their right which was profitable, they carefully retained that part which was odious.

Other assemblies, composed almost entirely of landowners exempt from the *taille*, who fully intended to continue to be so, did not paint in less black colours the evils which this *taille* inflicted on the poor. They put together a frightful picture of all its abuses, copies of which they were careful to multiply indefinitely. What was most peculiar was that to this startling evidence of the interest, which they took in the people, they added from time to time public expressions of contempt. The people had already

become the object of their sympathy without as yet ceasing to be the object of their disdain.

The provincial assembly of Upper Guienne, speaking of these peasants, whose cause it warmly pleaded, described them as *ignorant and gross creatures, turbulent creatures, rude and intractable characters*. Turgot, who did so much for the people, hardly spoke of them otherwise. These harsh expressions are found in documents intended for the greatest publicity, meant to pass before the eyes of the peasants themselves. These people might have been living in countries of Europe, such as Galicia, where the upper classes, speaking a different language from the lower classes, cannot be understood by them. The feudal lords of the eighteenth century, who often showed towards their dependents and others, who owed them dues, a spirit of gentleness, of moderation and of justice little known to their predecessors, still spoke on certain occasions of 'vile peasants.' These insults would appear in legal language to have been 'common form.'

The nearer we approach to 1789, this sympathy for the sufferings of the common people becomes more lively and more imprudent. I have held in my hands circulars, which several provincial assemblies addressed in the first days of 1788 to the inhabitants of different parishes, in order to learn from themselves in detail all the grievances of which they had reason to complain.

One of these circulars was signed by an abbé, a great lord, three nobles, and a middle-class man, all members of the assembly and acting in its name. This committee ordered the *Syndic* of each parish to call together all the peasants, and to ask them what they had to say against the method, in which the different taxes they paid were assessed and collected. 'We know,' said they, 'in a general way that most of the taxes especially the *gabelle* and the *taille* have consequences disastrous to the farmer, but we would like further to know each single abuse.' The curiosity of the provincial assembly did not stop there; it wished to

know the number of people in the parish who enjoyed any privilege in the matter of taxation, nobles, ecclesiastics, or low born people, and what precisely those privileges were; the value of the property of these privileged people; whether they resided or not on their estates; whether there was much church property, or in the language of that day lands in mortmain, that is inalienable, and their value. Even that was not sufficient to satisfy them; they wanted to know at what sum might be assessed the share of taxes, *taille*, additional dues, poll-tax, forced labour, which would be levied on the privileged people, if equality of taxation existed.

It was to inflame each individual man by the long list of his hardships, to point out to him the authors of them, to embolden him by the sight of their small number, and to reach his very heart to kindle there cupidity, envy, and hate. Seemingly the *Jacquerie*, the *Maillotins*, and the *Sixteen* had been entirely forgotten; seemingly they were ignorant that the French, who are the gentlest and even the kindest people on this earth, so long as they remain calm in their natural state, become the most barbarous as soon as that natural state is altered by violent passions. Unfortunately, I have not been able to discover all the returns made by the peasants in reply to these deadly questions; but I have found some of them, and that is enough to know the general spirit which inspired them.

In these returns the name of each privileged person, noble, or middle-class, is carefully indicated; his manner of life is sometimes described and always criticized. The value of his property is meticulously estimated; the number and nature of his privileges are described at length, and specially is pointed out the wrong done by them to all the other inhabitants of the village. The bushels of corn, which have to be paid him by way of due, are counted up; his income is calculated in an envious way; an income, they say, from which no one profits. The fees of the curé, his salary as they call it already, is excessive; it is remarked



with bitterness that the Church has to be paid for everything, and that the poor man cannot even get buried gratis. As to the taxes they are all badly assessed and oppressive; not one of them finds grace in their eyes; they speak of them all in passionate language, breathing fury.

'The indirect taxes are odious,' they say; 'there is no household into which the clerk of the excise does not come prying: nothing is sacred from his eyes and hands. The dues of registration are crushing. The collector of the *taille* is a tyrant whose cupidity makes use of every means to harry the poor. The bailiffs are no better; no honest farmer is protected from their ferocity. The collectors are obliged to ruin their neighbours in order not to expose themselves to the rapacity of these despots.'

In this Inquest the Revolution does not merely announce its approach; it is there already, it speaks already its language and shows its face plainly.

Among all the differences, which are to be found between the religious revolution of the sixteenth century and the French Revolution, there is one striking difference; in the sixteenth century most of the great people eagerly adopted the change of religion from calculations of ambition or from cupidity; the common people on the contrary embraced the new religion from conviction and without the expectation of any profit. In the eighteenth century it was very different; disinterested beliefs and generous sympathies then moved the enlightened classes and led them on the road of revolution, while a bitter feeling of their hardships and eagerness to change their lot agitated the common people. The enthusiasm of the former succeeded in kindling and arming the rage and the cupidity of the latter.

## CHAPTER VI

*Some practices by the aid of which the Government gave the finishing touch to the revolutionary education of the People.*

**T**he Government itself had long been at work in establishing and driving into the mind of the people several ideas, which have since been named revolutionary, ideas hostile to the individual, opposed to individual rights, friendly to violence.

The king was the first to show with what contempt the most ancient, and in appearance the most firmly established institutions could be treated. Louis XV shook the monarchy and hastened the Revolution as much by his innovations as by his vices, by his energy as by his feebleness. When the people saw the fall and the disappearance of that Parlement, which was almost coeval with the monarchy, and which had hitherto appeared as immovable as the monarchy itself, they vaguely comprehended that they were approaching times of violence and of hazard in which everything would be possible, in which there would scarcely be anything so ancient as to be venerated, scarcely anything so novel that it might not be attempted.

Louis XVI during the whole course of his reign did nothing but speak of reforms to be carried out. There were few institutions, of which he did not make the approaching ruin foreseen, before the Revolution came in fact to ruin them all. After removing from the code of laws some of the worst he presently replaced them; it looked as though he only wished to loosen the roots and leave to others the task of felling them.

Among the reforms which he carried through himself, some changed abruptly and without sufficient preparation ancient and venerable usages and sometimes violated

vested rights. They thus prepared the Revolution much less by striking down any obstacle in their way than by pointing out to the people how they might set about effecting it. What increased the evil was precisely the pure and disinterested intention by which the king and his ministers were actuated; for there is no more dangerous example than that of violence exercised for a good end and by people of good-will. A long time previously Louis XIV had in his edicts publicly taught this view that all the lands of the kingdom had been originally granted under conditions by the State which would thus be the only true owner, while all others were only possessors whose title could be disputed, and whose right was imperfect. This doctrine had its origin in feudal law, but it was only put forward in France at the point when feudalism was dying, and had never been admitted by the courts of justice. The idea is the mother of modern socialism. It is curious to see it first take root under royal despotism.

During the reigns which followed that of this prince the administration every day taught the people in a manner more practical and more within its grasp the contempt with which private property ought to be regarded. When in the second half of the eighteenth century the taste for public works and especially for roads became fashionable, the government had no hesitation in taking possession of all lands needed for its undertakings and in pulling down the houses that obstructed it. The Road-Surveying department (Ponts et Chaussées) was already as much enamoured then, as it has since been, with the geometrical beauties of the straight line; with great care it avoided following the existent roads if they curved ever so little, and rather than make a slight detour it ~~cut across~~ a thousand properties. The estates thus devastated or destroyed were always paid for at an arbitrary price and often after long delay, and often they were not paid for at all.

When the provincial assembly of Lower Normandy took the administration out of the hands of the Intendant, it

ascertained that the price of all the lands seized by authority in the preceding twenty years for the purpose of making roads was still unpaid. The debt thus contracted and not yet paid by the State in this little corner of France amounted to 250,000 livres. The number of great landowners injured in this manner was limited, but the number of small landowners damaged was very great; for land was already very much subdivided. Each small owner had learnt through his own experience how little regard should be paid to the right of the individual, when the public interest demands that it should be violated—a doctrine which he took care not to forget when it was a question of applying it to others for his own advantage.

There had formerly existed in a very great number of parishes charitable foundations which, in the intention of their founders, had as their aim the relief of the inhabitants in certain cases and in a certain manner indicated by the bequest. Most of these foundations were destroyed in the last days of the monarchy, or diverted from their original object by simple decrees of Council, that is to say, by the purely arbitrary act of the government. Generally speaking, the funds thus given to the villages were sequestrated for the profit of the neighbouring hospitals. In its turn the property of these hospitals was about the same time diverted to purposes never contemplated by the founder, and of which he would certainly never have approved. An edict of 1780 authorized all these establishments to sell the properties, left to them at different times on condition of their being held in perpetuity, and allowed them to hand over the purchase-money to the State, which was to pay the interest on the capital so lent. It was, they said, to make a better use of the charity of our ancestors than they had made themselves. It was forgotten that the best means of teaching men to violate the individual rights of the living is to take no account of the wishes of the dead. The contempt for the wishes of the dead displayed by the government of the 'old order' has never been sur-

passed by any of the powers which have succeeded it. It had nothing whatever of that somewhat meticulous scruple which leads the English to lend to each citizen the whole force of the social body to help him in maintaining the effect of his last dispositions, and makes them testify more respect to a man's memory than to himself.

Forced requisitions, compulsory sale of goods, the 'maximum,' were measures of government which all had precedents under the 'old order.' I have seen in times of scarcity officials fix in advance the price of provisions brought to market by the peasants and, if the peasants fearing constraint did not come, issuing orders obliging them to do so under pain of fine.

But there was no more dangerous instruction than that found in certain forms followed by criminal justice when the common people were concerned. The poor man was already very much better secured than has been imagined against any injury from a citizen more rich or more powerful than himself; but, were he at issue with the State, as I have indicated elsewhere, he found nothing but exceptional tribunals, prejudiced judges, a rapid or illusory procedure, a decree to be carried out by ordinance without appeal. 'The Provost of the Mounted Police and his lieutenant are ordered to take cognisance of the disturbances and tumultuous assemblies that may be caused by the question of the corn supply; it is ordered that the trial should be completed by them and adjudged by the Provost without appeal. All courts of justice are forbidden by His Majesty to take cognisance of these cases.' This decree of Council made law during the whole of the eighteenth century. The reports of the Mounted Police show that in these circumstances suspected villages were surrounded by night, houses were entered before dawn, delated peasants were arrested without any question of a further warrant. The man thus arrested often remained for a long time in prison before he could speak to his judge; the edicts, however, ordered that every accused person should be interro-

gated within twenty-four hours. This provision was as formal and as little respected as in our own day. It was thus that a mild and well-established government taught daily to the people the code of criminal procedure the most appropriate to times of revolution and the best adapted to tyranny. It kept a school for them always open. Right to the end of the 'old order' this dangerous education was given to the lowest classes. It lasted to the days of Turgot, who in this respect faithfully imitated his predecessors. When, in 1775, his new legislation about corn gave rise to resistance in the Parlement and to riotings in the country districts, he obtained from the King an ordinance, which removed the rioters from the jurisdiction of the ordinary courts and handed them over to that of the Provost, 'which is principally intended, as they say, to repress popular disturbances, when it is desirable that examples should be made with celerity.' Further, all peasants leaving their parishes unsupplied with a certificate signed by the curate and the Syndic, were to be pursued, arrested, and tried by the Provost as vagabonds.

It is true that in this monarchy of the eighteenth century, though the forms were terrifying, the punishment was almost always merciful. The desire was rather to frighten than to cause suffering; or rather, the individual was arbitrary and violent by habit and by indifference, but merciful by nature. However, the taste for this summary justice grew only the more popular. The lighter the punishment, the more easily were forgotten the means by which the decision was secured. The mildness of the sentence concealed the dreadful nature of the procedure.

I venture to say, because I have the facts in my hands, that a great number of the methods used by the revolutionary government had precedents and examples in the measures adopted towards the common people during the last two centuries of the monarchy. The 'old order' furnished the Revolution with many of its forms; the latter only added to them the ferocity of its temper.

## CHAPTER VII

*How a great Administrative revolution had preceded the Political revolution and its consequences.*

Nothing had as yet been changed in the form of government, when already most of the secondary laws which regulated the condition of persons and the administration of affairs had been abolished or modified.

The destruction of the guilds and their partial and incomplete re-establishment had profoundly altered all the old relations between workman and master. These relations had become not only different, but uncertain and difficult. The police of the master was destroyed; the tutelage of the State was as yet badly established, and the artisan, placed in a difficult and ambiguous position between the government and the master, did not know too well which of the two was intended to protect or to restrain him. This state of uneasiness and of anarchy, into which the whole of the lower class of the towns had been plunged at a single stroke, had important consequences as soon as the people began to reappear on the political stage.

One year before the Revolution an edict of the King had overthrown in all its parts the judicial arrangements; several new jurisdictions had been created, a multitude of others had been abolished, all the rules of legal competence to try cases had been changed. Now in France, as I have already remarked elsewhere, the number of those who took part, either as judges or in executing the decrees of judges, was enormous. In truth the whole middle class had more or less to do with the tribunals. The effect of the law was therefore to disturb at one stroke the position and property of thousands of families and to give them a new and

precarious status. The edict had hardly less inconvenienced the parties to suits, who in the midst of this judicial revolution had difficulty in discovering the law applicable to the case and the tribunal competent to decide it.

But it was especially the radical reform which the Administration properly so called had to undergo in 1787; which, after having brought disorder into public affairs, finally disturbed every citizen in his private life.

I have already stated that in the *pays d'élection*, that is to say, in nearly three-quarters of France, the whole of the administration was intrusted to a single man—the *Intendant*, who acted not only without control but without counsel.

In 1787 by the side of this *Intendant* was placed a provincial assembly which became the real administrator of the district. In each village an elected municipal body in the same way took the place of the old parish meetings and in most cases of the *Syndic*.

Legislation, so contrary to all that had preceded, which changed so completely not merely the order of business but the relative position of individuals, had to be applied everywhere at once and everywhere almost in the same manner without any regard to the previous usages or to the particular position of each province; so completely had the unifying spirit of the Revolution already possessed the old government, which the Revolution was to destroy.

It was then easy to see the part, which habit plays in the working of political institutions, how men deal more easily with obscure and complicated laws, with which they have long been familiar, than with a body of more simple law, which is new to them.

Under the 'old order' there were in France all kinds of authorities, which varied indefinitely from province to province; none of these authorities had fixed and well-defined limits; the result was that the sphere of each was always common to several others. In spite of this a regular and fairly easy order had been established in the conduct.



of business. *Per contra*, the new authorities, smaller in number, carefully limited and similar, met each other and very soon became entangled with each other in the greatest confusion, and often reduced each other to impotence.

Further, the new system of law had one great vice, which alone would have been sufficient at the start to make its execution difficult. All the powers which it created were collective.

Under the old monarchy there had been only two methods of administration. In those districts in which the administration was entrusted to a single man he acted without the co-operation of any assembly; wherever assemblies existed, as in the *pays d'états* or in the towns, the executive power was not entrusted to any particular person; the assembly not only governed and supervised the administration, but administered itself, or by means of temporary commissions which it nominated.

As these were the only two methods of administration known, when one was abandoned, the other was adopted. It is a curious fact that in a society so enlightened, in which public administration had for so long a time played such a great part, the idea had never occurred of connecting the two systems and of distinguishing without disjoining the executive power from that which superintends and directs. This idea, which appears so simple, never appeared; it was only discovered in the nineteenth century. It is, so to speak, the only great discovery in the sphere of public administration which is peculiar to us. We shall see the consequences produced by the contrary practice, when the administrative habits were transferred to the political sphere, and when in obedience to the tradition of the 'old order,' detested though it was, the system followed by the provincial estates and the small municipalities of the towns was adopted in the National Convention, and we shall see how that, which had hitherto merely caused embarrassment in the management of business, produced immediately the Reign of Terror.

The Provincial Assemblies then of 1787 received the right of governing themselves in most of the spheres, in which hitherto the Intendant had acted alone; they were charged under the authority of the central government to assess the *taille* and to superintend its collection, to determine what public works should be undertaken, and to see to their execution. They had under their immediate control all the officials of the Road Board (*Ponts et Chaussées*) from the Inspector down to the foreman of the labour gang. They were to order them whatever they thought right, to render account of the service of these agents to the Minister and to propose to him the suitable remuneration. The guardianship of the villages was almost entirely handed over to these Assemblies; they were to determine in the first instance most of the contentious matters that had hitherto been taken to the Intendant; functions, of which some were ill-suited to a collective and irresponsible power, and which besides were to be exercised by men who now administered for the first time.

Complete confusion was produced by the fact that, though the Intendant was reduced to impotence, he was nevertheless allowed to continue. Absolute power in every sphere had been taken from him, and yet he was charged with the duty of aiding and of superintending all the actions of the Assembly: as if forsooth a degraded official could ever enter into the spirit of the legislation, which dispossessed him, and facilitate its working.

What had been done for the Intendant had also been done for his Subdelegate. By his side, and in the place which he had recently occupied, was set up a district assembly which was to act under the direction of the provincial assembly and on analogous principles.

Everything that is known of the acts of the provincial assemblies created in 1787 and even their own minutes show that immediately after their birth they entered on an underhand and often on an open war with the Intendants, the latter using the greater experience which they

had acquired merely to impede the movements of their successors. Here, we find an assembly complaining that it is only with difficulty that it can wrest from the hands of the Intendant the most necessary documents. Elsewhere it is the Intendant who accuses members of the assembly of wishing to usurp functions still left him, so he says, by the edicts. He appeals to the Minister, who often does not answer or expresses doubt; for the matter is as novel and obscure to him as to everyone else. Sometimes the assembly resolves that the Intendant has administered badly, that the roads which he has had constructed are badly laid out or badly kept up; he has allowed the villages, of which he was the guardian, to be ruined. Often these Assemblies hesitated amid the obscurities of a legislation so little known; they sent great distances to consult each other and constantly gave each other advice. The Intendant of Auch claimed that it was within his competence to oppose the wish of the provincial assembly, which had authorized a village to tax itself; the assembly claimed that in this matter the Intendant could henceforth give advice but not orders, and it asked the provincial assembly of the Île-de-France for its opinion.

Amid these recriminations and these consultations the movement of the administration often slackened and sometimes stopped; public life was then almost suspended. 'The stagnation of business is complete,' said the provincial assembly of Lorraine, which in this was only the echo of several others, 'all good citizens are distressed.'

On other occasions it was by excess of activity and self-confidence that these new governing bodies went wrong; they were all filled with a restless and disturbing zeal, which made them wish to change all at once the old methods and to correct hurriedly the most ancient abuses. On the ground that henceforth they were to exercise guardianship over the towns they undertook themselves to manage municipal affairs; in a word, aiming to improve everything they succeeded in producing universal confusion.

Now, if you reflect on the very great position, which for a very long time past the public administration had held in France, the multitude of interests it daily touched, all that depended on it, or had need of its assistance; if you reflect that it was already upon it rather than upon themselves that individuals reckoned for the success of their own business, for the encouragement of their manufactures, for the certainty of their subsistence, for the lay-out and up-keep of their roads, for the preservation of their tranquillity, and for the guarantee of their well-being, you will have some idea of the infinite number of people who felt themselves personally injured by the evil affecting the public administration.

But it was especially in the villages that the vices of the new organization made themselves felt; in them it not only disturbed the old order of powers, it changed all at once the relative position of men and put all classes in conflict, one against the other.

When Turgot in 1775 proposed to the King a reform of the administration of the rural districts, the greatest difficulty he encountered, so he tells us himself, arose from the unequal distribution of the taxes; how make men, who were not liable to pay taxes in the same manner, of whom some were entirely exempt, act in common, and deliberate together on parochial matters, which principally concerned the assessment, the levy, and the appropriation of taxes? Each parish included gentlemen and clergy who did not pay the *taille*, peasants who were either partially or wholly exempt, and others who paid the whole of it. There were, so to speak, three distinct parishes. Each would have needed a separate administration. The difficulty was insoluble.

Nowhere in fact, was inequality of taxation more obvious than in the country districts; nowhere was the population more clearly divided into different groups, often hostile to each other. In order to give the villages a collective administration and a diminutive free government, it would have been necessary in the first place to subject all its

members to the same taxes, and to abridge the distance which separated classes.

This was not the course adopted when this reform was finally undertaken in 1787. Within the parish the old separation of the orders and inequality of taxation, which was its chief sign, were maintained, but nevertheless the whole administration was handed over to elective bodies. This immediately produced most singular results.

Was it a question of the assembly having to choose parochial officers? the curé and the seigneur were not allowed to appear in it; they belonged, it was said, to the order of the nobles and the order of the clergy; now, on this occasion it was particularly the third estate which had to elect its representatives.

The parochial council once elected, the curé and the seigneur were on the contrary members of it by right; for it would not have been seemly to exclude entirely from the government of the parish two such important inhabitants. The seigneur even presided over those parochial councillors, whom he had not helped to elect; but it was not for him to have a say in most of their acts. When the assessment and apportionment of the *taille* was taken in hand, the curé and the seigneur were not allowed to vote. Were they not both exempt from this tax? On its side the parochial council had no views on the capitation tax; it continued to be regulated by the Intendant in accordance with its peculiar forms.

From a fear that this president, thus isolated from the body which he was supposed to direct, might still indirectly exercise an influence hostile to the interest of the order of which he was not a member, it was demanded that the votes of his tenants should not count; the provincial assemblies, consulted on this point, found this claim very just, and altogether in conformity with principle. The other gentlemen, who dwelt in the parish, were not allowed to enter into this same low-class parochial assembly unless they were elected by the peasants, and in that case, as the

regulations carefully laid down, they had only the right to represent in it the third estate.

The seigneur then only appeared in the assembly as in complete subjection to his ancient vassals, who had suddenly become his masters; he was their prisoner rather than their chief. By gathering together these men in this fashion it seemed that the end in view had been not so much to unite them more closely, as to make them see more clearly their differences and the contrary nature of their interests.

Was the Syndic still that discredited official, whose duties were never undertaken except under compulsion, or had his position been raised together with that of the community of which he remained the principal agent? No one exactly knew. I find in 1788 the letter of a certain village bailiff who was indignant at having been elected to serve in the position of Syndic. That, he said, was contrary to all the privileges of his office. The Controller-General replied that the ideas of this individual must be rectified; he must be made to understand that he should be pleased with the honour of being chosen by his fellow-citizens, and that furthermore, the new Syndics would not resemble the officials, who had hitherto borne the same name, and that they must count on more consideration from the Government.

On the other hand important inhabitants of the parish and even nobles, suddenly made overtures to the peasants, when these latter had become a power. A seigneur, exercising high justice over a village in the neighbourhood of Paris, complained that the Edict hindered him from taking part *as a mere inhabitant* in the working of the parish assembly. Others consented, as they said, from devotion to the public good even to fill the office of Syndic.

It was too late. In proportion as members of the rich classes thus made advances towards the people of the country districts and made efforts to join them, the latter withdrew into and maintained the isolation in which they had formerly been placed. Some parochial assemblies

refused to receive within them the seigneur; others adopted every kind of trick rather than admit even low class people if they were rich. 'We are informed,' said the provincial assembly of Lower Normandy, 'that several parochial assemblies have refused to admit to their body low class landowners of the parish who are not domiciled in it, though there can be no doubt that they have a right to such admission. Other assemblies have even refused to admit farmers who had no landed property within their boundaries.'

Thus then, everywhere already were to be found, novelty, obscurity, conflict, in the secondary laws, before ever the principal laws which regulated the government of the state had been touched. But all that remained standing was already shaken, and there did not exist, so to speak, a single law of which the central power itself had not announced either its abolition or its approaching modification.

This sudden and extensive remodelling of all the rules and administrative habits, which in France preceded the political revolution, though to-day it is hardly spoken of, had, however, already produced one of the greatest disturbances that had ever occurred in the history of a great people. This first revolution exercised an enormous influence on the second and made the latter an event different from all those of the same kind, which had ever up to that time occurred in the world, and from those which have taken place since.

The first revolution in England, which overthrew the whole political constitution of that country and even abolished the monarchy, only affected in a very superficial manner the secondary laws and scarcely made any change in the customs and habits. Justice and administration retained their old forms and followed the same track as in the past. At the very height of the civil war the twelve judges of England, it is said, continued twice a year to make the Assize Circuit. In England, therefore, everything was

not agitated at once. The revolution was circumscribed in its effects, and English society, though agitated at its top, remained steady at its base.

We have ourselves seen in France since '89 several revolutions, which have changed from top to bottom the whole structure of government. Most of them have been very sudden and have been effected by force, in open violation of the existing laws. Nevertheless, the disorder, which they have caused, has never been either long or general; they have hardly been felt by the greater part of the nation, sometimes they have been hardly noticed.

That is because since '89 the administrative constitution has always remained standing amid the downfalls of the political constitutions. The person of the sovereign or the forms of the central power were changed; but the daily conduct of business was neither interrupted nor disturbed. Every man continued to remain subject in the small matters, which particularly interested him, to the laws and customs which he knew; he was subject to the same secondary powers, that he had always been in the habit of addressing, and, generally speaking, he had to do with the same agents; for, if at each revolution the administration was decapitated, its body remained uninjured and living; the same functions were performed by the same officials; they carried with them their spirit and their practice across all the changes of political laws. They judged and they administered first in the name of the King, then in the name of the Republic, and finally in the name of the Emperor. Then, when Fortune had made the wheel turn full circle, they once more began to administer and to judge for the King, for the Republic, and for the Emperor, always the same and in the same way. What mattered to them the name of the master? Their business was not so much to be citizens as to be good administrators and good judges. As soon as the first shock was past, it seemed as though nothing in the country had moved.

When the Revolution broke out, that part of the Govern-



ment which, though subordinate, makes itself felt daily in the life of every citizen and has the most continuous and telling influence on his well-being, had just been completely overthrown; the public administration had changed at one stroke all its agents and remodelled all its maxims. The State had not at first appeared to receive a great shock from this immense reform; but every single Frenchman in his private sphere had felt a slight disturbance. Every man felt himself shaken in his position, disturbed in his habits, or impeded in his business. A certain regular order continued to reign in the most important and most general affairs, but already no person any longer knew whom to obey, whom to address, nor how to conduct himself in those small matters of individual concern, which make up the daily routine of social life.

The nation having lost its balance in every particular, one last blow was able to upset it altogether and to produce the most terrible upheaval, and the most awful confusion that had ever been seen.

## CHAPTER VIII

*How the Revolution sprang spontaneously from that which preceded.*

I wish in conclusion to gather up some of the features, already described separately, and to view the Revolution springing spontaneously from that 'old order,' of which I have just drawn the portrait.

If it is borne in mind that it was in France that the feudal system, without changing anything in it that could hurt and irritate, had most completely lost that which could protect or be of service, the less surprise will be felt that the revolution, which was to abolish violently this old constitution of Europe, broke out in France rather than elsewhere. If attention is paid to the fact that the nobles, after having lost their old political rights and having ceased more than was the case in any other country of feudal Europe to govern and lead the people, had nevertheless, not only retained but very much increased their pecuniary immunities, and the advantages enjoyed by them individually; if it is remembered that, though they had become a subordinate, they had remained a privileged and close class; less and less, as I have said elsewhere, an aristocracy; more and more a caste; it will be no matter for surprise that its privileges appeared so inexplicable and so detestable to the French people and that in its presence envy was so greatly kindled in the heart of the French people that it burns there still.

Finally, if it is reflected that this nobility, separated from the middle classes, which it had repulsed from its bosom, and from the people whose affections it had alienated, was entirely isolated in the middle of the nation; in appear-

ance the head of an army, in reality a body of officers without soldiers, it will easily be understood how, after having stood upright for a thousand years, it came to be overthrown in a single night.

I have shown how the government of the King, having abolished local liberties, and having in three-quarters of France substituted itself for all the local authorities, drew to itself all public matters, the smallest as well as the greatest. I have shown on the other hand how by a necessary consequence Paris made itself the master of the kingdom, of which till that time it had only been the capital, or rather then became itself the whole kingdom. These two facts, peculiar to France, would alone be sufficient to explain why a riot was able utterly to overthrow a monarchy, which for so many centuries had withstood such violent shocks, and which on the very eve of its fall still appeared unshakable to those very people, who were going to overthrow it.

France being that one of the countries of Europe in which all political life had been the longest and most completely extinguished, in which individuals had most wholly lost touch with affairs, lost the habit of reading the meaning of events, and the experience of popular movements and almost the very idea of the people, it can be easily imagined how all Frenchmen could all at once, without seeing it, fall into a terrible revolution, those most threatened by it leading the van, and undertaking to open and broaden the path which led to it.

As there no longer existed any free institutions and in consequence no more political classes, no living political bodies, no organized and drilled parties; and as in the absence of all these regular forces the direction of public opinion, when public opinion came to be reborn, fell wholly to the philosophers, it was obvious that the revolution would be conducted less with a view to particular facts than in accordance with abstract principles and very general theories; it might be anticipated that, instead of attacking individual bad laws, all laws would be attacked

and that the aim would be to substitute for the old constitution of France an entirely novel system of government conceived by these writers.

The Church being naturally involved with all the old institutions, whose destruction was contemplated, it was certain that this revolution must shake religion at the same time as it overthrew the civil power; it was therefore impossible to forecast the unheard-of acts of audacity, to which the spirit of these innovators might be carried, freed as they were at once from all the restraints imposed by religion, custom, and law on the imagination of men.

Anyone, who had carefully studied the state of the country, could easily have foreseen that there was no act of audacity, however extravagant, which might not be attempted, no act of violence which might not be inflicted

'What,' cried Burke in one of his eloquent pamphlets, 'is there not a single man who can answer for the smallest district; nay further, is there not one man who can answer for another. Each man is arrested in his own house without resistance, whether it is a question of Royalism, Moderatism, or anything else.' Burke knew little of the conditions in which this monarchy, that he regretted, had bequeathed us to our new masters. The Government of the 'old order' had long ago taken from Frenchmen the possibility and the desire of helping each other. When the Revolution arrived, it would have been hopeless to seek in the greater part of France for any ten men, who were in the habit of acting together in any regular manner and of providing for their own defence. The central power had taken sole charge in such a way that this central power, having fallen from the hands of the royal administration into those of an irresponsible and sovereign assembly, and, after being kindly having become terrible, found nothing before it that could stop it or even delay it for a moment. The same cause, which had made the monarchy fall so easily, had rendered everything possible after its fall.

Never had religious toleration, mildness in the exercise of power, humanity, and even benevolence been more earnestly preached and apparently better acted on than in the eighteenth century. Rights of war, so to speak, the last refuge of violence, had themselves been cut down and softened. Yet from the bosom of manners so gentle was to spring the most inhuman Revolution! Moreover, all this softening of manners was not a mere sham; for, as soon as the fury of the Revolution was spent, this same spirit of gentleness spread immediately into all the laws and permeated all political habits.

The contrast between the benignity of the theories and the violence of the deeds, which was one of the strangest features of the French Revolution, will not be a matter of surprise, if it is remembered that this Revolution was prepared by the most civilized, but carried out by the most barbarous and the rudest classes of the nation. The men of the former class having no pre-existent union with each other, no habit of acting together, no hold upon the people, the people almost immediately became the directing power, when the former powers were destroyed. Where it did not govern itself, it gave at least its tone to the government; and if, on the other hand, the people's manner of living under the 'old order' is remembered, what it was going to become may easily be imagined.

The very peculiarities of their position had given them several rare virtues. Enfranchised early, and for long past owners of a part of the soil isolated rather than dependent, they showed themselves temperate and proud; they were inured to toil, indifferent to the delicacies of life, resigned to the greatest evils, steadfast in danger; a simple and virile race, which was to fill those powerful armies before the efforts of which Europe would bow. But the same cause made them a dangerous master. As they had borne almost alone for centuries all the burden of abuses, as they had lived apart, nursing in silence their prejudices, their jealousies, and their hatreds, they had become hardened

by these rigours of their fate and they had become capable at once of enduring or of perpetrating any enormity.

It was in this state that, laying its hands on the government, the people itself undertook to carry out the work of the Revolution. Books had supplied the theory; they undertook the execution, and they adjusted the ideas of the writers to their own frenzied passions. Those readers of this book, who have studied attentively in it France of the eighteenth century, have seen the birth and development within its bosom of two principal passions, which have not been contemporaneous, nor always worked towards the same end.

The former, more profound and more deeply grounded, was the violent and inextinguishable hatred of inequality. Born and nursed by the sight of the inequality itself, it had for a long time past urged Frenchmen with a continuous and irresistible force to root up from the foundations all that remained of the institutions of the Middle Ages, and the site thus cleared, to build on it a society in which men should be as alike and their conditions as equal as human nature admits of. The other passion, less ancient and less deeply rooted, led them to wish to live not only equal but free.

Towards the end of the 'old order' these two passions were equally sincere and appeared to be equally active. At the beginning of the Revolution they met; they joined and mingled for a moment, they heated each other by the contact and finally they set afire at once the whole heart of France. It was '89, a time doubtless of inexperience, but a time of generosity, of enthusiasm, of virility, and of greatness; a time of immortal memory, towards which the eyes of men will turn with admiration and with respect, when those who witnessed it and we ourselves shall long have passed away. At that time the French were proud enough of their cause and of themselves to believe that they were able to be free as well as equal. Among democratic institutions therefore they placed everywhere free institutions.

Not only did they reduce to powder those antiquated laws which divided men into castes, into corporations, into classes, and rendered their rights even more unequal than their positions, but they shattered by a single stroke those other laws—a more recent work of the royal power—which had taken away from the nation the free enjoyment of itself, and had placed by the side of each Frenchman the government to be his preceptor, his tutor, and if it were needed, his oppressor. Centralization fell with absolute government.

But when that vigorous generation, which had begun the Revolution, had been either destroyed or enervated, as commonly happens to every generation, which first embarks on such enterprises; when following the natural course of events of this kind the love of freedom had been discouraged and languished in the face of anarchy and popular tyranny and when the distracted nation began to grope after a master, absolute government found prodigious facilities for its rebirth and consolidation, discovered without difficulty by the genius of that man who was going to be at once the continuator and the destroyer of the Revolution.

The 'old order' had, in fact, contained a whole array of modern institutions, which, not being enemies to equality, could easily find a place in the new society, and which moreover offered to despotism singular facilities. They were sought for amidst the ruin of all other institutions and were discovered. These institutions had formerly given birth to customs, habits, passions, ideas, which tended to divide men and make them obedient; these were revived and set to work. From these ruins centralization was restored; and since in its restoration everything which had formerly been able to limit it had been destroyed, from the very heart of a nation which had just destroyed monarchy arose at once a power more extensive, more detailed, more absolute than any which had been exercised by any of our kings. The enterprise seemed one of extraordinary audacity,

its success unprecedented, because men thought only of what they saw and forgot what they had seen. The Despot fell, but, what had been most substantial in his work remained standing; his government dead, his administration survived, and every time that an attempt has since been made to destroy absolutism, all that has been done has been to place the head of Liberty on a servile body.

On several occasions from the beginning of the Revolution to our own days the passion for liberty has been seen to die, then to be reborn, then to die once more, and then once more to be reborn; thus it will be for a long time—a passion inexperienced and badly regulated, easily discouraged, easily terrified and conquered, superficial, and transitory. During this same period the passion for equality which had first held men's hearts, continued to do so. It clings to the feelings which are most dear to them. While the desire for freedom constantly changes its aspect, wanes, waxes, grows, weakens, according to events, the desire for equality remains always the same, always attached to the same end, with the same obstinate and often blind ardour, ready to sacrifice everything to those who allow it to satisfy itself, and to grant to the government, which will favour and flatter it, the customs, the ideas, the laws which despotism needs in order to reign.

The French Revolution will only be the darkness of night to those who merely regard itself; only the times, which preceded it, will give the light to illuminate it. Without a clear view of the 'old order,' its laws, its abuses, its prejudices, its miseries, its greatness, what Frenchmen have done during the sixty years succeeding its fall will never be understood; even this view will not be sufficient, if the essential character of the French character is not understood.

When I consider this nation in itself, I find it more extraordinary than any events in its history. Has there ever appeared in the world any nation so full of contrasts and so extreme in all its actions, more led by sentiment,



less by principles; always acting worse or better than expected; at one time below, at another time above the common level of humanity; a people so unalterable in its primary instincts that it is recognizable in its portraits drawn 2,000 or 3,000 years ago, and at the same time so changeable in its daily thoughts and in its tastes, that it ends by becoming a spectacle surprising to itself and often remains, as astonished as foreigners, at what it has just done; of all nations the most stay-at-home and the most devoted to routine when left to itself, but when once, despite itself, torn from its home and its routine, ready to push to the end of the world and to dare all things; indocile by temperament, always adapting itself more easily to the arbitrary and even the violent rule of a prince than to the free and regular government of the chief citizens; to-day the declared enemy of all obedience, to-morrow employing in service a sort of passion, which the nations with the greatest gift for servitude cannot attain; led by a mere thread so long as no one resists; ungovernable, as soon as the example of resistance is anywhere given; always thus deceiving its masters, who fear it either too much or too little; never so free that its enslavement is hopeless, never so much enslaved that it cannot once more break the yoke; fitted for everything, but excelling only in war; adoring chance, power, success, distinction and noise rather than true glory; more capable of heroism than of virtue, of genius than of good sense; more ready to conceive great designs than to carry through great enterprises; the most brilliant and the most dangerous of the nations of Europe and the best adapted to become by turns an object of admiration, of hatred, of pity, of terror, but never of indifference.

France alone could have given birth to a revolution, so sudden, so radical, so impetuous in its course, yet, on the other hand, so full of retrogressions, of contradictory facts, and of contrary examples. Apart from the causes outlined above the French would never have made it; but

it must be admitted that all these causes together would never have succeeded in explaining such a revolution elsewhere than in France. Here I am, arrived at the threshold of this memorable revolution; on this occasion I shall not enter upon it; perhaps I shall do so soon. I shall then no longer consider its causes; I shall examine the Revolution itself, and I shall finally dare to pass judgment on the social order sprung from it.

## SUPPLEMENT /

### *The pays d'états and especially Languedoc.*

**I**t is not my intention here to make a detailed inquiry, into the way in which business was transacted in each of the *pays d'états*, which still existed at the time of the Revolution.

I only wish to indicate their number, to show those in which local life was still active, to point out the relations in which they lived with the royal administration, in what respects they were exempted from the general rules I have already described, how far they conformed to them, and finally to show by the example of one of them what they could all have easily become.

Estates had existed in most of the provinces of France; that is to say, each province under the government of the King had been administered by the *gens des trois états*, as was then said; it meant an assembly composed of representatives of the clergy, the nobility, the commons. This provincial constitution, like other political institutions of the Middle Ages, was found with the same features in almost all the civilized parts of Europe, in all those, at any rate, into which Germanic manners and ideas had penetrated. There were many provinces of Germany, in which these states still subsisted down to the French Revolution; where they had disappeared, they had only done so in the course of the seventeenth and eighteenth centuries. Everywhere for two centuries the princes had carried on against them a war sometimes secret, sometimes open. Nowhere had they attempted to improve this institution in accordance with the progress of time, but only to destroy or disfigure it, when opportunity offered, or when they could not do worse.

In France in 1789 there only existed Estates in five considerable provinces and in some small insignificant districts. To tell the truth, provincial liberty only existed in two provinces, Brittany and Languedoc. Everywhere else the institution had entirely lost its virility and was only a sham.

I shall separate Languedoc and make it here the object of a particular examination.

Languedoc was the largest and the most populous of all the *pays d'états*; it included more than 2,000 communes, or, as they were then called, 'communities,' it reckoned more than two million inhabitants. Further it was the best organized and the most prosperous of all these districts as well as the greatest. Languedoc therefore is well chosen to show what provincial liberty could achieve under the 'old order,' and to what extent in those districts, in which it appeared the strongest, it had been subjected to the royal power.

In Languedoc the Estates were only able to assemble under an express order of the King and under a writ of summons addressed by him individually every year to all those who were to compose the assembly. Hence the witticism of a contemporary *frondeur*—'Of the three bodies which form our Estates, one, the clergy is nominated by the King since he nominates to the bishoprics and the benefices, and the other two may be supposed to be so, since an order of the court can prevent any member that it pleases from being present. There is no need to exile him or to prosecute him. It is sufficient not to summon him.'

The Estates were bound not only to assemble but to separate at certain dates indicated by the King. The ordinary length of their session had been fixed at forty days by a decree of the Council. The King was represented in the assembly by commissioners, who had always admission when they asked for it. It was their business to express the wishes of the government. The Estates were further held strictly in control. They could take no resolution of

any importance, they could determine on no financial measure of any kind, until their decision had been sanctioned by a decree of the Council; for a tax, a loan, a lawsuit, they needed the express permission of the King. All their general regulations, even those which concerned the holding of their sessions, had to be authorized before they became operative. The total of their receipts and their expenditure, their budget, as it would be called to-day, was subject every year to the same control.

Further the central power exercised in Languedoc the same political rights which were recognized as belonging to it everywhere else; the laws, which the central power thought good to promulgate, the general rules, which it was constantly issuing, the general measures that it took were applicable in Languedoc as in the *pays d'élection*. It exercised there in the same way all the natural functions of government; it had there the same police and the same agents; from time to time it created there as elsewhere a multitude of new officials, whose offices the province had to repurchase at a high figure. Languedoc was governed, like the other provinces, by an Intendant. This Intendant had in each district Subdelegates, who corresponded with the heads of the villages and directed them. The Intendant exercised in them administrative tutelage as completely as in the *pays d'élection*. The tiniest village, buried in the gorges of the Cevennes, could not expend the smallest sum until authorized from Paris by a decree of the Council of the King. That part of justice, which is known to-day as the *contentieux administratif* (cases in which the administration is concerned), was as widely extended in Languedoc as in the rest of France; it was even more so. The Intendant, acting as a court of first instance, decided all questions about the public highways; he judged all suits dealing with the roads, and speaking generally he pronounced on all matters in which the government was or thought itself interested. The government no less than elsewhere shielded all its agents against indiscreet prosecutions by citizens injured by them.

What peculiarity then had Languedoc that distinguished it from the other provinces and which made it to these others an object of envy? Three things which were sufficient to make it entirely different from the rest of France.

1. An assembly composed of men of substance, esteemed by the population, respected by the royal power, of which no official of the central government, or in the language of the time no officer of the King, could be a member; an assembly, in which every year the special interests of the province were freely and seriously discussed. The fact that the royal administration found itself placed by the side of this centre of light was quite sufficient to make it exercise its privileges in quite a different manner; with the same agents and the same interests it had no resemblance to what it was elsewhere.

2. There were in Languedoc many public works executed at the expense of the King and by his agents; there were others for which the central government provided a part of the cost, and of which in large part it directed the execution. But most of the public works were executed at the expense of the province alone. Once the King had approved the plan and authorized the expense, they were executed by officials chosen by the Estates and under the inspection of commissioners selected from their own body.

3. Finally the province had the right of levying itself, and by the method which it preferred, some of the royal taxes and all those which it was authorized to raise to satisfy its own needs.

Let us note the advantage which Languedoc took from these privileges. It deserves close attention.

What was most striking in the *pays d'election* was the almost complete absence of local charges. The general taxes were often oppressive, but the province spent almost nothing on itself. In Languedoc on the contrary, the sum which the public works annually cost the province was enormous; in 1780 it was more than 2,000,000 livres a year.

The central government was sometimes disturbed at the sight of this great outlay; it was afraid that the province, exhausted by such an effort, would not be able to pay the share of the taxes due to itself; it blamed the Estates for not limiting their expenditure. I have read a Memoir in which the assembly replied to these criticisms. The textual extracts from this document, that I am going to give, will depict, better than anything I could say, the spirit by which this little government was animated.

The document acknowledged that in fact the province had taken in hand and still continued immense public works; but, far from apologizing, they intimated that, if the King did not forbid, they would continue more and more to follow the same course. They had already improved or straightened the bed of the principal rivers, crossing their territory; and were now engaged in adding to the canal of Languedoc, dug under Louis XIV and now inadequate, extensions which, crossing lower Languedoc, were to lead by Cette and Agde to the Rhône. They had rendered open to commerce the port of Cette and maintained it at great expense. All these expenses, they said, were of a character more national than provincial; nevertheless, the province, which profited most, had undertaken the expense. They were likewise in the course of draining and restoring to agriculture the marshes of Aigues-Mortes. But it was especially the roads with which they had been concerned; they had opened or put in good condition all those roads, which, crossing Languedoc, had connected it with the rest of France; even those, which only interconnected the villages and towns of Languedoc, had been repaired. All these different roads were excellent, even in winter, and were in utter contrast with the hard, uneven, and badly-maintained roads to be found in the neighbouring provinces Dauphiné, Quercy, the district of Bordeaux (*pays d'élection*, it is to be noticed). The opinion of traders and travellers was referred to; the reference was justified; for Arthur Young traversing the country ten years later wrote in his

notes—'Languedoc, *pays d'états*; good roads, made without forced labour.'

'If the King will allow it,' the Memoir continues, 'the Estates will not stop here; they will undertake to improve the parish crossroads, which are not less interesting than the others. For, if the produce cannot be taken from the barns of the landowner to the local market, what use is it that thence it can be taken to a distance? The idea of the Estates in the matter of public works has always been that it is not their grandeur but their utility that must be regarded. Rivers, canals, roads, which give value to all products of the soil and of industry, by allowing their transport at all times and at little cost to all points at which they are needed, and by means of which commerce can penetrate into all parts of the province, enrich the country whatever they cost. Furthermore, such works undertaken at the same time with moderation in different parts of the country and spread out equally keep up everywhere the rate of wages and help the poor. The King has no need to establish at his own expense in Languedoc charitable workshops, as he has done in the rest of France,' said finally the province with some pride, 'we do not ask for this favour; the useful works, which we ourselves undertake each year, take their place, and give to all our people productive work.'

The more I study the general regulations established with the permission, but generally not at the initiative, of the King by the Estates of Languedoc, in that portion of the public administration which was left to them, the more do I admire the sagacity, the equity and the mildness displayed; the more do the proceedings of the local government seem to me superior to all that I have seen in the districts administered by the King alone.

The province was divided into communities (towns or villages), into administrative districts known as *dioceses*; and finally into three great departments called *sénéchaussées*. Each of these divisions had a separate representation and a



small government of its own, which was under the direction either of the Estates or of the King. Was it a question of public works, which had for object the advantage of one of these small political bodies; it was only at the request of the latter that they were undertaken. If the public works of a community were of benefit to the *diocese*, the latter was bound to contribute to the expense in a certain proportion. If the *sénéchaussée* was interested, it likewise was bound to give assistance. The *diocese*, the *sénéchaussée*, the province were bound to assist the village, even if the matter was of concern to the village alone, provided that the work was necessary but beyond its power; 'for,' as the Estates constantly said, 'the fundamental principle of our constitution is that all parts of Languedoc form one organic whole and all ought successively to help each other.'

The works executed by the province had to be thought out long before, and submitted in the first instance to the examination of all the secondary bodies, which were to contribute; the works were carried out only by paid workmen; forced labour was unknown. I have said already that in the *pays d'élection* land taken from its owners for public purposes was always badly paid for or paid for late, and often not paid for at all. This was one of the great complaints made by the provincial assemblies, when they met in 1787. Some of them stated that they had even been deprived of the possibility of paying off debts contracted in this manner, for the object of seizure had been destroyed or spoiled before it had been valued. In Languedoc every plot of ground taken from a landowner had to be carefully valued before the beginning of the works and paid for in the first year of their execution.

The regulation of the Estates relative to the different public works, from which I have taken these details, seemed to the central government to be so well framed that it was admired though it was not copied by it. The Council of the King, after having authorized its being put in operation, had it printed at the royal press and ordered that it

should be sent as a document for reference to all the Intendants.

What I have said about public works can, with even greater right, be applied to that other equally important part of the public administration, which was concerned with the levy of taxes. It was in this sphere especially that, passing from the Kingdom to the Province, anyone would find it difficult to believe that he was still in the same Empire.

I have had occasion to say elsewhere that the method followed in Languedoc for the assessment and collection of the *taille* was partly that followed by ourselves to-day in the collection of the taxes. I will not return to that point here; I will only say that the province in this matter liked so much the superiority of its own methods that on every occasion, when the King created new taxes, the Estates never hesitated to purchase at a very high price the right to levy them in their own fashion and by their own agents alone.

Despite of all the expenses, which I have successively enumerated, the affairs of Languedoc were in such good order, and its credit so well established that the central government often had recourse to it and borrowed in the name of the province a sum of money that would not have been lent on such good terms to itself. I find that Languedoc borrowed on its own security, but on the King's account, during these last years 73,200,000 livres.

The Government and its Ministers, however, regarded with an unfavourable eye these special liberties. Richelieu first mutilated and then abolished them. The soft and do-nothing Louis XIII, who loved nothing, simply hated them; he held in such horror all provincial privileges, said Boulainvilliers, that his wrath was kindled at the mere mention of the name. It is impossible to fathom the energy possessed by feeble souls for hatred of that which obliges them to make an effort. Any virility remaining to them is employed here and they almost always show their

strength in this matter, however feeble they may be in everything else. Good-fortune willed that the old constitution of Languedoc should be restored during the infancy of Louis XIV. The latter, regarding it as his own work, respected it. Louis XV suspended its operation for two years, but then let it be restored.

The creation of municipal offices exposed the province to perils less direct but not less great. The destruction of the town-constitutions was not the only effect of this detestable practice; it tended also to disfigure the constitution of the provinces. I do not know whether the deputies of the third estate to the provincial assemblies had ever been elected for this special purpose, but, anyway, for a long time back they had not been so elected; the municipal officers of the towns were by right the sole representatives of the middle and lower classes in the assemblies.

This absence of a special mandate, given in view of the special interests of the moment, caused little remark when the towns themselves freely elected their magistrates by universal vote and most often for only a very short period. The Mayor, the Consul or the Syndic then represented in the Estates the wishes of the people, in whose name he spoke, as faithfully as if he had been elected expressly for the purpose by them. But it was obviously not the same with a man who had bought with money the right to govern his fellow-citizens. The latter represented nothing but himself, or at the very most the petty interests or the petty passions of his coterie. However, this magistrate-by-purchase retained the powers possessed by the elective magistrates. This changed immediately the whole character of the institution. The nobles and the clergy, instead of finding by their side and in front of them in the provincial assembly representatives of the people, only found certain isolated, timid, and powerless burgesses, and the third estate occupied an increasingly subordinate place in the government, at the very time when its members were becoming every day richer and stronger in society. This

was not the case in Languedoc, the province having always taken care to repurchase from the King these offices as soon as they were created. The loan contracted by Languedoc for this object in the one year 1773 amounted to more than 4,000,000 livres.

Other more powerful causes had contributed to inspire these old institutions with the new spirit and gave to the Estates of Languedoc an indisputable superiority over all the others.

In this province as over a great part of the South the *taille* was real, not personal, that is to say, it was regulated by the value of the property and not by the position of the owner. There were, it is true, certain lands which enjoyed the privilege of not paying the *taille*. These lands had in former times belonged to nobles: but with the progress of time and industry some of these lands had fallen into the hands of lower-class people; on the other hand, noblemen had become owners of many properties subject to the *taille*. Privilege, thus removed from persons to property, was no doubt more absurd, but it was much less felt, because, though still irksome, it was no longer humiliating. Being no longer tied indissolubly to the idea of class, not creating for any one class interests absolutely foreign or hostile to those of the other classes, it no longer prevented the co-operation of all classes in government. More than anywhere else, in Languedoc classes did in fact co-operate on the footing of the most perfect equality.

In Brittany the nobles had the right of all appearing individually in the Estates, and this often caused the Estates to have the appearance of a Polish diet. In Languedoc alone the nobles only appeared in the Estates by representatives; twenty-three of them sat in the assembly as representatives of the whole body; the clergy appeared in it in the person of the twenty-three bishops of the province, and—this must be specially noted—the towns had as many votes as the first two orders.

As the assembly sat in a single chamber and deliberated

not by order but by head, the third estate naturally acquired in it a great importance; little by little it caused its own spirit to permeate the whole body. Further, the three magistrates who, under the name of Syndics General, were charged in the name of the Estates with the ordinary conduct of business were always lawyers, that is to say non-nobles. The nobles, strong enough to maintain their rank, were not strong enough to reign alone. On their side the clergy, though largely composed of men of noble birth, lived in perfect understanding with the third estate; they joined with ardour in most of their schemes and worked in harmony with them to increase the material prosperity of the whole body of citizens and to encourage their trade and industry, thus putting often at the disposal of the people their own great knowledge of men and their own rare skill in the management of affairs. It was almost always an ecclesiastic, who was chosen to negotiate at Versailles with Ministers on disputed matters, that were at issue between the Estates and the Royal authority. It can be said that during the whole of the last century Languedoc was governed by members of the third estate, controlled by the nobles and assisted by the Bishops.

Thanks to the peculiar constitution of Languedoc, the spirit of the new age was able peacefully to permeate this old institution and to modify everything, without destroying anything, in it.

This might have been done everywhere else. A fragment of the perseverance and the efforts exerted by the Kings to abolish or to injure the provincial estates would have been sufficient to improve them in this fashion and to adapt them all to the necessities of modern civilization, if ever these Kings had wished for any other thing than to become and to remain masters.